

§ 679.5 Recordkeeping and reporting.

(a) *General requirements*—(1) *Applicability, Federal fisheries permit*—(i) *Requirement.* Except as provided in paragraphs (a)(1)(iii) and (iv) of this section, the following participants must comply with the recordkeeping and reporting requirements of this section:

(A) Any catcher vessel, mothership, catcher/processor, or tender vessel, 5 net tons or larger, that is required to have a Federal fisheries permit under § 679.4.

(B) Any shoreside processor, mothership, or buying station that receives groundfish from vessels issued a Federal fisheries permit under § 679.4.

(C) Any buying station that receives or delivers groundfish in association with a mothership issued a Federal fisheries permit under § 679.4(b) or with a shoreside processor or vessel operating solely as a mothership in Alaska State waters issued a Federal processor permit under § 679.4(f).

(ii) *Shoreside processor, mothership, or buying station.* A shoreside processor, mothership, or buying station subject to recordkeeping and reporting requirements must report all groundfish and prohibited species received, including:

(A) Fish received from vessels not required to have a federal fisheries permit.

(B) Fish received under contract for handling or processing for another processor.

(iii) *Exemption for vessels less than 60 ft (18.3 m) LOA.* A catcher vessel less than 60 ft (18.3 m) LOA is not required to comply with recordkeeping and reporting requirements contained in § 679.5(a) through (k).

(iv) *Exemption for groundfish used as crab bait.* (A) Owners or operators of catcher vessels who take groundfish in crab pot gear for use as crab bait on board their vessels while participating in an open season for crab, and the bait is neither transferred nor sold, are exempt from Federal recordkeeping and reporting requirements contained in paragraphs (a) through (j) of this section.

(B) This exemption does not apply to fishermen who:

(I) Catch groundfish for bait during an open crab season and sell that

groundfish or transfer it to another vessel, or

(2) Participate in a directed fishery for groundfish using any gear type during periods that are outside an open crab season for use as crab bait on board their vessel.

(C) No groundfish species listed by NMFS as “prohibited” in a management or regulatory area may be taken in that area for use as bait.

(v) *IFQ fisheries or CDQ halibut fisheries.* Any catcher vessel or catcher/processor that participates in a IFQ sablefish fishery, IFQ halibut fishery, or CDQ halibut fishery in addition to the groundfish fisheries of the GOA or BSAI and that is required to maintain a logbook under this section, must use a combined groundfish/IFQ logbook.

(2) *Applicability, Federal processor permit.* Any shoreside processor or vessel operating solely as a mothership in Alaska State waters that retains groundfish is responsible for complying with the applicable recordkeeping and reporting requirements of this section.

(3) *Responsibility.* (i) The operator of a catcher vessel, catcher/processor, mothership, or buying station receiving from a catcher vessel and delivering to a mothership (hereafter referred to as the operator) and the manager of a shoreside processor or buying station receiving from a catcher vessel and delivering to a shoreside processor (hereafter referred to as the manager) are each responsible for complying with the applicable recordkeeping and reporting requirements of this section.

(ii) The owner of a vessel, shoreside processor, or buying station is responsible for compliance and must ensure that the operator, manager, or representative (see paragraph (b) of this section) complies with the requirements given in paragraph (a)(3)(i).

(iii) The signature of the owner, operator, or manager on the DFL, DCL, or DCPL is verification of acceptance of the responsibility required in paragraphs (a)(3)(i) and (ii) of this section.

(4) *Groundfish logbooks and forms.* (i) The Regional Administrator will prescribe and provide groundfish logbooks and forms required under this section for a catcher vessel 60 ft (18.3 m) or greater LOA, a catcher/processor, a mothership, a shoreside processor, and

a buying station (see Table 9 to this part).

(ii) The operator or manager must use these logbooks and forms or obtain approval from the Regional Administrator to use electronic versions of the logbooks and forms.

(iii) The operator or manager of a buying station must maintain a separate DCL for each mothership or shore-side processor to which the buying station delivers groundfish during a fishing year.

(iv) *Shoreside processor electronic logbook report.* (Applicable through December 31, 2001.) The manager of a shoreside processor or stationary floating processor receiving groundfish from AFA catcher vessels must use NMFS-approved software to report catcher vessel deliveries to NMFS as required under this section, and maintain the shoreside processor electronic logbook report described at paragraph (f)(3) of this section, and printed reports required under this section to record the information described at paragraph (f)(4) of this section. The owner of a shoreside processor or stationary floating processor is responsible for compliance and must ensure that the operator, manager, or representative complies with the requirements of this paragraph described at paragraph (f)(3) of this section.

(5) *Participant identification information.* The operator or manager must record on all required records, reports, and logbooks, as appropriate:

(i) The name of the catcher vessel, catcher/processor, mothership, shore-side processor, or buying station as displayed in official documentation.

(ii) If a catcher vessel, the Federal fisheries permit number and ADF&G vessel number.

(iii) If a shoreside processor, the Federal processor permit number and ADF&G processor number.

(iv) If a buying station, the name and ADF&G vessel number (if a vessel) of the buying station, and the name, ADF&G processor code, and Federal processor permit number of associated shoreside processor, or the Federal fisheries permit number of the associated mothership.

(v) Except for a DFL, DCL, or DCPL, the following information describing a

representative's identification: the representative's name, daytime business telephone number (including area code), and fax or telex number. In addition, if completing a DPR, a VAR, or a mothership or catcher/processor PTR or check-in/check-out report, the representative's COMSAT number.

(vi) If a mothership or catcher/processor, the ADF&G processor code and Federal fisheries permit number.

(vii) Signature of owner, operator, or manager (see paragraph (a)(3)).

(6) *Maintenance of records.* (i) The operator or manager must maintain in English all records, reports, and logbooks in a legible, timely, and accurate manner; if handwritten, in indelible ink; if computer-generated, in a printed paper copy; and based on A.l.t.

(ii) The operator or manager must account for each day of the fishing year in the logbook, starting with January 1 and ending with December 31. Time periods must be recorded consecutively in the logbook.

(A) If a vessel owner or operator is granted reinstatement of a Federal fisheries permit after having surrendered it within the same fishing year, recordkeeping and reporting requirements as defined in this section must be continuous throughout that year, without interruption of records.

(B) If a shoreside processor owner or manager is granted reinstatement of a Federal processor permit after having surrendered it within the same fishing year, recordkeeping and reporting requirements as defined in this section must be continuous throughout that year, without interruption of records.

(iii) When applicable, the operator or manager must record in each report, form, and logbook the following information:

(A) *Page number.* (1) Except as provided in paragraph (a)(6)(iii)(A)(2) of this section, the operator or manager must number the pages in each logbook consecutively, beginning with page 1 and continuing throughout the logbook for the remainder of the fishing year. If more than one logbook is used in a fishing year, the page numbers should follow the consecutive order of the previous logbook.

(2) The manager of a shoreside processor must number the DCPL pages

within Part I and Part II separately, beginning with page 1.

(B) *Date*, presented as month-day-year.

(1) If a catcher vessel harvesting sablefish or halibut under the IFQ Program (see subpart D of this part) in addition to groundfish and recording more than 1 day on the DFL logsheet, the operator must enter the first day of the harvest at the top of the logsheet and the date of each day in the “record by set” and “discard” sections of the DFL.

(2) If a catcher vessel harvesting groundfish and recording more than 1 day on the DFL logsheet, the operator must enter the first day of the harvest at the top of the logsheet and the date of each day in the “catch” and “discard/donate” sections of the DFL.

(3) If a shoreside processor, the manager must enter the week-ending date of the weekly reporting period at the top of the logsheet and the date of each day of the week in the “landings” and “discard/donate” sections of the DCPL.

(C) *Time*, in military format to the nearest hour, A.l.t.

(D) *Position coordinates*, latitude and longitude to the nearest minute (optional: record to the nearest second or fraction of minute).

(E) *Original/revised report*. Except for a DFL, DCL, or DCPL, if a report is the first one submitted to the Regional Administrator for a given date, gear type, and reporting area, the report should be labeled, “ORIGINAL REPORT.” If a report is a correction to a previously submitted report for a given date, gear type, and reporting area, the report should be labeled, “REVISED REPORT.”

(F) *Product codes, whole fish codes, discard product codes, and product designations*—(1) *General*. To record information in the DFL, DCPL, DCL, DPR, WPR, PTR, and VAR, the operator or manager must use Table 1 to this part to determine product codes, whole fish codes, discard product codes, and product designations for federally managed groundfish.

(2) *Codes in discard/donate sections*—(i) *Catcher/processor or mothership*. The operator of a catcher/processor or mothership must record in the discard/donate sections of the DCPL, DPR, and

WPR, discard codes 96 or 98; and also code 86 to record number of prohibited species that are donated to charity under a NMFS-sponsored program.

(ii) *Shoreside processor*. The manager of a shoreside processor must record in the discard/donate sections of the DCPL, DPR, and WPR, discard codes 96, 98 or 99; and code 86 to record number of prohibited species that are donated to charity under a NMFS-sponsored program.

(iii) *Catcher vessel or buying station*. The operator of a catcher vessel or the operator or manager of a buying station must record in the discard/donate sections of the DFL or DCL, respectively, discard codes 96 or 98; whole fish codes 02, 92, 93, and 95; and code 86 to record number of prohibited species that are donated to charity under a NMFS-sponsored program. In addition, the operator of a buying station delivering to a shoreside processor must record code 99 for any discard after delivery from catcher vessels and before delivery to a shoreside processor.

(3) *Product code 97*. (i) When recording information in a DCPL for products not listed on Table 3 to this part, the operator of a catcher/processor or mothership or the manager of a shoreside processor must record code 97—other retained product and write a description of the product in addition to that code.

(ii) Because product code 97 is not a defined product and product recovery rates (PRRs) may vary depending on the product and, thus, are not available in Table 3 to this part to convert product amounts into round weight, the operator or manager must determine the PRR of the product and record the PRR next to the code 97 and product description in the DCPL.

(4) *Product code 33*. When recording information in a DCPL, DPR, WPR, or PTR for product code 33—fish oil, the operator of a catcher/processor or mothership or the manager of a shoreside processor must record and report only those amounts of oil that are destined for sale and not include amounts of oil that are stored or burned for fuel onboard.

(5) *Product code 41*. When recording information in a DCPL, DPR, or WPR for whole fish destined for offsite fish

meal production, the operator of a catcher/processor or mothership or the manager of a shoreside processor must use code 41 as defined in Table 1 to this part. For exceptions on a PTR, see paragraph (g)(1)(i) of this section.

(6) *Product codes 04, 05, 51, 54, 55, 57, and 58—(i) IFQ codes.* Product codes 04, 05, 51, 54, 55, 57, and 58 are reserved for use with IFQ fish products.

(ii) *IFQ halibut product codes.* When recording IFQ halibut in a groundfish/IFQ DFL or DCPL, an IFQ landing report, or IFQ shipment report, the operator of a catcher vessel or catcher/processor must use only product codes 04, 05, 54, and 55 as defined in Table 1 to this part.

(iii) *IFQ sablefish product codes.* Except for product codes 05, 55, or 86, when recording IFQ sablefish in a groundfish/IFQ DFL or DCPL, an IFQ landing report, or IFQ shipment report, the operator of a catcher vessel or catcher/processor may use product codes defined in Table 1 to this part.

(7) *Discard code 99.* When recording information in a DCPL, DPR, or WPR for discard after delivery and before processing by shoreside processors and buying stations delivering to shoreside processors and in-plant discard of whole groundfish and prohibited species during processing, the manager of a shoreside processor or buying station must use code 99 as defined in Table 1 to this part. For exceptions on a PTR, see paragraph (g)(1)(i) of this section.

(G) *Species codes.* (1) To record information in the DFL, DCPL, DCL, DPR, WPR, and PTR, the operator or manager must use Table 2 to this part to determine species codes for federally managed groundfish, federally identified prohibited species, and ADF&G managed fish (marked with an asterisk).

(2) All species codes listed on Table 2 to this part for federally managed species must be recorded in the DFL, DCPL, DCL, DPR, WPR, or PTR.

(3) All species codes listed on Table 2 to this part for non-federally managed species may be recorded in the DFL, DCPL, DCL, DPR, WPR, or PTR.

(4) Except for species codes 120, 144, 168, 169, 171, and 888, all species codes on Table 2 to this part may be used on ADF&G fish tickets, including the

mothership weekly cumulative fish tickets.

(7) *Active and inactive periods—(i) Each day of fishing year.* Account for each day of the fishing year, January 1 through December 31, in the DFL, DCL, or DCPL by checking the appropriate box to indicate active and inactive periods as defined under § 679.2. The operator or manager must record the first day of the fishing year, January 1, on the first page of the DFL, DCL, or DCPL.

(ii) *Active period—(A) Mothership, catcher/processor, or buying station.* Except as provided in paragraph (a)(7)(ii)(C) of this section, if a mothership, catcher/processor, or buying station, use a separate logsheet for each day of an active period.

(B) *Catcher vessel or shoreside processor.* Except as provided in paragraph (a)(7)(ii)(C) of this section, if a catcher vessel or shoreside processor, use a separate logsheet for each day or use one logsheet for up to 7 days.

(C) *Active but not conducting fishing activity.* Use one logsheet to record a time period greater than 1 day when “active but not conducting fishing activity,” and indicate the first day and last day of this time period as follows.

(1) Indicate in the DFL or catcher/processor DCPL on one logsheet the first day of the period in the “START” date box and the last day of the period in the “END” date box.

(2) Indicate in the DCL and the shoreside processor DCPL on one logsheet the first day of the period in the “MONTH-DAY-YEAR” box and the last day of the period in the “END” date box.

(3) If an active period with no fishing activity extends across two or more successive quarters, the operator or manager must complete two logsheets: The first logsheet to indicate the last day of the first quarter and the next logsheet to indicate the first day of the second quarter.

(iii) *Inactive period.* Use one logsheet to record a time period greater than 1 day when inactive, and indicate the first day and last day of this time period as follows:

(A) Indicate in the DFL or catcher/processor DCPL on one logsheet the first day of an inactive period in the

“START” date box and the last day of an inactive period in the “END” date box.

(B) Indicate in the DCL and the shoreside processor DCPL on one logsheet the first day of an inactive period in the “MONTH-DAY-YEAR” box and the last day of an inactive period in the “END” date box.

(C) If an inactive period extends across two or more successive quarters, the operator or manager must complete two logsheets: The first logsheet to indicate the last day of the first quarter and the second logsheet to indicate the first day of the second quarter.

(iv) *Fishing activity.* Indicate in the DFL, DCL, or DCPL all fishing activity, which is defined as follows:

(A) If a catcher vessel—harvest or discard of groundfish.

(B) If a catcher/processor—harvest, discard, or processing of groundfish.

(C) If a mothership or shoreside processor—receipt, discard, or processing of groundfish.

(D) If a buying station—receipt, discard, or delivery of groundfish.

(v) *Active and conducting fishing activity.* If in an active period and conducting fishing activity, the operator of a catcher vessel must record in the DFL, the operator or manager of a buying station must record in the DCL, and the operator or manager of a catcher/processor, mothership, or shoreside processor must record in the DCPL, WPR, DPR, and mothership or catcher/processor check-in/check-out report as follows:

(A) *Gear type.* (1) The gear type used to harvest the groundfish. If gear type is not an authorized fishing gear as defined at § 679.2, circle OTHER.

(2) If a mothership, shoreside processor, or buying station and groundfish are received from the same reporting area but were harvested with more than one gear type; or if a catcher/processor and groundfish were caught in the same reporting area using more than one gear type, the operator or manager must:

(i) If a mothership, shoreside processor, or a catcher/processor, use a separate logsheet in the DCPL to record each gear type.

(ii) If a buying station, use a separate logsheet in the DCL to record each gear type.

(iii) If a mothership, shoreside processor, or a catcher/processor, submit a separate check-in/check-out report, DPR (if required), and WPR for each gear type.

(B) *Reporting Area.* In the DFL, DCL, DCPL, WPR, DPR, mothership or catcher/processor check-in/check-out report, the reporting area code (see Figures 1 and 3 to this part) where gear retrieval, as defined at § 679.2, was completed.

(1) If a haul or set occurs in more than one reporting area, record the reporting area code where gear retrieval was completed, regardless of where the majority of the haul or set took place.

(2) If a catcher vessel or catcher/processor using trawl gear, record whether catch was harvested in the COBLZ or in the RKCSA.

(i) If recording in a DFL or DCPL, use two separate logsheets, the first to record the information from the reporting area that includes the COBLZ or RKCSA and the second to record the information from the reporting area that does not include the COBLZ or RKCSA.

(ii) If recording on a WPR, use two separate columns to record the part of the same reporting area that includes the COBLZ or RKCSA and the part that does not include the COBLZ or RKCSA.

(3) If a catcher/processor using trawl gear and recording on a check-in/check-out report, the operator must submit a separate check-in/check-out report to record the part of the same reporting area that includes the COBLZ or RKCSA and the part that does not include the COBLZ or RKCSA area.

(C) *Observers.* (1) If a mothership or shoreside processor DCPL, a catcher/processor groundfish DCPL, or a catcher vessel groundfish DFL, the number of observers aboard or on site.

(2) If a groundfish/IFQ catcher vessel DFL or groundfish/IFQ catcher/processor DCPL, the number of observers aboard, the name of observer, and the observer cruise number.

(D) *Number of crew or crew size.* In a DFL, DCL, DCPL (except shoreside

processor), and mothership or catcher/processor WPR, the number of crew, excluding certified observer(s), on the last day of the weekly reporting period.

(E) *CDQ*. In a DFL, DCL, DCPL, WPR, DPR, or check-in/check-out report:

(1) If harvest is under a CDQ program, record the CDQ number. If harvest is not under a CDQ program, leave blank.

(2) If harvest is under more than one CDQ number, use a separate logsheet for each CDQ number.

(3) If a catcher vessel delivering to a shoreside processor and using a groundfish/IFQ DFL, record the CDQ delivery number in the appropriate box. If using a groundfish DFL, record the CDQ delivery number in the blank space in the "identification" section of the logsheet.

(4) If a shoreside processor or buying station delivering to a shoreside processor, record CDQ delivery number under the catcher vessel's name in the delivery information section of the DCPL or DCL, respectively.

(F) *Experimental fisheries*. If harvest is under an experimental fisheries program, record the experimental fisheries number (e.g., EXP 9801) in the CDQ number block.

(8) *Landings information*—(i) *General*. The manager of a shoreside processor must:

(A) Record and report groundfish landings by species codes and product codes as defined in Tables 1 and 2 to this part for each reporting area, gear type, COBLZ or RKCSA area if applicable under paragraph (a)(7)(v)(B) of this section, and CDQ number.

(B) If recording landings on a WPR or DPR, report each groundfish landing only in metric tons to at least the nearest 0.001 mt.

(C) If no landings occurred, write "NO LANDINGS" for that day.

(ii) *DCPL*. The manager of a shoreside processor must record in the DCPL:

(A) *Daily landings*. The daily combined scale weight of landings retained for processing from a catcher vessel or from any associated buying station, to the nearest lb or to at least the nearest 0.001 mt. Use a check mark in the ap-

propriate box to indicate whether records are in lbs or in metric tons.

(B) *Weekly landings*. At the end of each weekly reporting period, enter for each species and product code the cumulative total scale weight of landings for that week, summarized separately by reporting area, gear type, COBLZ or RKCSA area if applicable under paragraph (a)(7)(v)(B) of this section, and CDQ number. The cumulative total weight is calculated by adding the daily totals for that week.

(9) *Product Information*—(i) *General*. The operator of a catcher/processor or mothership or the manager of a shoreside processor must:

(A) Record and report groundfish products by species codes, product codes, and product designations as defined in Tables 1 and 2 to this part for each reporting area, gear type, COBLZ or RKCSA area if applicable under paragraph (a)(7)(v)(B) of this section, and CDQ number.

(B) If recording products on a WPR or DPR or recording products shipped or received on a PTR, the operator or manager must report each groundfish product only in metric tons to at least the nearest 0.001 mt.

(C) (1) If groundfish are not received or processed during a day, the operator or manager must write "no groundfish receipt or production" on the production section of the DCPL.

(2) If groundfish are not received or processed during a weekly reporting period, the manager must submit a WPR (see paragraph (i) of this section) for each week in which no groundfish are received or processed and write "no groundfish receipt or production this week" on the production section of the WPR.

(ii) *DCPL*. The operator or manager must record in the DCPL:

(A) *Daily production*. The daily total, balance brought forward (except for shoreside processors), and cumulative total fish product weight for each groundfish product to the nearest lb or to at least the nearest 0.001 mt. Use a check mark in the appropriate box to indicate whether records are in lbs or in metric tons.

(B) *Weekly production*. At the end of each weekly reporting period or prior to the offload or transfer of all fish or

fish product from a catcher/processor or mothership if offload or transfer occurs before the end of a weekly reporting period, enter for each species and product code the cumulative total fish product weight for each groundfish product to the nearest lb or to at least the nearest 0.001 mt, summarized separately by reporting area, gear type, COBLZ or RKCSA area if applicable under paragraph (a)(7)(v)(B) of this section, and CDQ number. The cumulative total fish product weight is calculated by adding the daily totals and total carried forward (except for a Shoreside Processor DCPL) for that week.

(iii) *Zero amount carried forward.* At the beginning of each weekly reporting period or after the offload or transfer of all fish or fish product onboard if such offload occurs prior to the end of a weekly reporting period, from a catcher/processor or mothership, the amount is zero, and nothing shall be carried forward from the previous weekly reporting period.

(10) *Discarded or donated species information.* The operator or manager must record or report discards or donations as follows:

(i) *General.* (A) Record and report prohibited species (see § 679.21(b)) and groundfish discards or donations by species and product codes as defined in Tables 1 and 2 to this part for each reporting area, gear type, COBLZ or RKCSA area if applicable under paragraph (a)(7)(v)(B) of this section, and CDQ number.

(B) If recording discards or donations on a WPR or DPR, the manager or operator must record:

(1) The weekly cumulative total discard or donation for each species and product code of groundfish species, groundfish species group, or Pacific herring in metric tons to at least the nearest 0.001 mt.

(2) The weekly cumulative total estimated numbers of discard or donation for each species and product code of Pacific salmon, steelhead trout, halibut, king crab, and Tanner crab.

(C) If there were no discards or donations, write “NO DISCARDS,” “0,” or “ZERO” for that day.

(ii) *Logbook—(A) Groundfish and herring.* For each discard or donation of groundfish, groundfish species groups,

and Pacific herring, record in the DCPL, DCL, or DFL the date of discard, the estimated daily total, balance brought forward (except for shoreside processor DCPL), and cumulative total estimated fish discards or donations weight to the nearest lb or to at least the nearest 0.001 mt for each fishing trip. Use a check mark in the appropriate box to indicate whether records are in lbs or in metric tons.

(B) *Prohibited species other than herring.* For each discard or donation of Pacific salmon, steelhead trout, halibut, king crab, and Tanner crab, record in the DFL, DCL, or DCPL, the date of discard, the estimated daily total, balance brought forward (except for shoreside processor DCPL), and cumulative total estimated numbers for discards or donations for each fishing trip.

(C) *Cumulative totals.* At the end of each fishing trip, calculate the cumulative total by adding the daily total and balance forward (except for a Shoreside Processor DCPL), summarized separately by reporting area, gear type, COBLZ or RKCSA area if applicable under paragraph (a)(7)(v)(B) of this section, and CDQ number.

(D) *Beginning of weekly reporting period.* At the beginning of each weekly reporting period, the amount is zero, and nothing shall be carried forward from the previous weekly reporting period.

(11) *Contract processing.* The manager of a shoreside processor or operator of a mothership who receives groundfish to be handled or processed under contract for another processor or business entity must report these fish to the Regional Administrator consistently throughout a fishing year using one of the following two methods:

(i) *Combined records.* Record landings (if applicable), discards, and products of contract-processed groundfish routinely in the DCPL, WPR, or DPR without separate identification; or

(ii) *Separate records.* Record landings (if applicable), discards, and products of contract-processed groundfish in a separate DCPL, WPR, or DPR identified by the name, Federal processor permit number or Federal fisheries permit number, and ADF&G processor code of the associated business entity.

(12) *Alteration of records.* (i) The operator, manager, or any other person may not alter or change any entry or record in a logbook, except that an inaccurate or incorrect entry or record may be corrected by lining out the original and inserting the correction, provided that the original entry or record remains legible.

(ii) No person except an authorized officer may remove any original page of any logbook.

(13) *Inspection and retention of records*—(i) *Inspection.* The operator of a catcher vessel or catcher/processor or mothership or the manager of a shoreside processor or the operator of a buying station must make all logbooks, reports, forms, and mothership-issued fish tickets required under this section available for inspection upon the request of an authorized officer for the time periods indicated in paragraph (a)(13)(ii) of this section.

(ii) *Retention of records.* The operator or manager must retain logbooks and forms as follows:

(A) *On site.* On site until the end of the fishing year during which the records were made and for as long thereafter as fish or fish products recorded in the logbooks and forms are retained.

(B) *For 3 years.* Except for the operator or manager of a buying station, for 3 years after the end of the fishing year during which the records were made.

(C) *Catcher Vessel.* The operator of a catcher vessel must retain the original (white) copy of all DFLs and a paper copy of the VAR, if applicable.

(D) *Mothership or Shoreside Processor.* The operator of a mothership or the manager of a shoreside processor must retain:

(1) The white copy of all DCPLs.

(2) A paper copy of all forms submitted to NMFS, including those forms that were originally submitted electronically.

(3) The photocopies of DCL yellow copies until the original DCL is received from the associated buying station at the conclusion of fishing or no later than February 1 of the following fishing year.

(4) The bound DCLs containing the white logsheets from associated buying stations.

(5) The blue DFL copies submitted by operators of catcher vessels through the last day of the fishing year during which the records were made.

(6) The white copy of any fish ticket issued to a catcher vessel.

(E) *Catcher/processor.* The operator of a catcher/processor must retain:

(1) The white copy of all DCPLs.

(2) A paper copy of all forms submitted to NMFS, including those forms that were originally submitted electronically.

(F) *Buying Station.* The operator or manager of a buying station must retain the pink DCL copies for each associated mothership or shoreside processor for 3 years after the end of the fishing year during which the records were made.

(14) *Submittal and distribution of logbooks and forms.* For recordkeeping and reporting in the groundfish fisheries of the EEZ off Alaska, the operator of a catcher vessel, mothership, catcher/processor, or of a buying station delivering to a mothership, or the manager of a shoreside processor or of a buying station delivering to a shoreside processor is required to use the logbooks issued in accordance with paragraph (a)(4) of this section, submit the logsheets to NMFS in accordance with this paragraph (a)(14), and retain the logbooks in accordance with paragraph (a)(13) of this section.

(i) *Submittal of forms.* The operator or manager must submit the check-in report, check-out report, vessel activity report, weekly production report, daily production report, and product transfer report (see Table 9 to this part), as applicable by:

(A) Faxing the NMFS printed form to the fax number on the form; or

(B) Transmitting a data file with required information and forms to NMFS by modem, satellite (specifically INMARSAT standards A, B, or C), or e-mail.

(C) With the approval of the Regional Administrator, using the voluntary electronic reporting format for the check-in report, check-out reports, and WPR.

(ii) *Logbook descriptions.* The copy sets of each logbook are described here:

Type of logbook	Copy sets
(A) Catcher vessel Groundfish/IFQ DFL	White, blue, green, yellow.
(B) Catcher vessel Groundfish DFL	White, blue, yellow.
(C) Catcher/processor Groundfish/IFQ DCPL	White, green, yellow
(D) Catcher/processor Groundfish DCPL	White, yellow.
(E) Mothership DCPL	White, yellow.
(F) Shoreside Processor DCPL	White, yellow.
(G) Buying Station DCL	White, pink, yellow.

(iii) *Logsheet distribution.* The operator or manager must distribute or retain the multiple copies of each logsheet described in paragraph (a)(14)(ii) as follows:

If logsheet color is:	Distribute to:	See paragraph 679.5(a)(14):	Exception, see 679.5
(A) White	Logsheet remains permanently in logbook.	(iii)(A)	(a)(14)(iii)(A)(1).
(B) Yellow	Submit quarterly to NMFS	(iii)(B)	(c)(6)(i).
(C) Blue (catcher vessel only).	Operator submits to buying station, mothership, or shoreside processor that receives the groundfish harvest.		
(D) Pink (buying station only).	Operator or manager retains	(iii)(C)	
(E) Green (groundfish/IFQ logbooks only).	For distribution under NMFS/IPHC groundfish/IFQ logbook program.	(iii)(D)	

(A) *Yellow logsheet.* The operator or manager must submit the yellow copy of each logbook to NMFS on a quarterly basis to: NMFS' Office of Enforcement, Alaska Region Logbook Program, P.O. Box 21767, Juneau, AK 99802-1767, on the following schedule:

First quarter	By May 1 of that fishing year.
Second quarter	By August 1 of that fishing year.
Third quarter	By November 1 of that fishing year.
Fourth quarter	By February 1 of the following fishing year.

(1) *Buying station.* The operator or manager of a buying station must submit upon delivery of catch the yellow DCL copy to the associated mothership or shoreside processor, along with the ADF&G fish tickets for that delivery.

(2) *Mothership or shoreside processor.* The operator of a mothership or manager of a shoreside processor must make and retain a photocopy of each yellow DCL logsheet received from an associated buying station and submit the yellow DCL copies to NMFS along with the mothership or shoreside processor DCPL yellow copies.

(3) *Groundfish and groundfish/IFQ logbooks (Effective through December 31, 1999).* The operator of a catcher vessel or catcher/processor must submit all of

the yellow logsheets both from the groundfish logbook and from the groundfish/IFQ logbook to NMFS.

(B) *Blue discard logsheet, DFL—(1) Catcher vessel.* Except when delivering an unsorted codend (see paragraph (c)(6)(i) of this section), the operator of a catcher vessel must submit the blue DFL copy to the buying station, mothership, or shoreside processor that receives the groundfish harvest.

(2) *Buying station.* The operator or manager of a buying station must submit upon delivery of catch to an associated mothership or shoreside processor any blue DFL copies received from catcher vessels delivering groundfish to the buying station.

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(C) *Pink logsheet, DCL.* The operator or manager of a buying station must retain the pink DCL copies for each associated mothership or shoreside processor for 3 years after the end of the fishing year during which the records were made.

(D) *Green logsheet, groundfish/IFQ DFL and catcher/processor DCPL.* The green copies in the groundfish/IFQ DFL and catcher/processor DCPL are to support a separate data collection by the IPHC under the joint NMFS/IPHC logbook program; check with the IPHC for submittal and retention requirements.

(15) *Delivery information for mothership and shoreside processor.* The operator of a mothership or the manager of a shoreside processor must record the following information in the "delivery information section" of the Mothership DCPL or Shoreside Processor DCPL:

(i) If groundfish delivery was made by a catcher vessel or buying station, write "CV" or "BS," respectively.

(ii) If groundfish delivery is from a catcher vessel, enter YES or NO to indicate whether the blue DFL copies were submitted by the catcher vessel at the time of delivery; if NO, record as follows:

If blue DFL not submitted by catcher vessel, record NO and the letter:	To indicate the catcher vessel
(leave blank; no letter necessary)	Did not give reason for nonsubmittal.
P	Does not have a federal fisheries permit.
P	Is under 60 ft (18.3 m) LOA and does not have a federal fisheries permit.
L	Is under 60 ft (18.3 m) LOA and has a federal fisheries permit.
U	Delivered an unsorted codend.

(iii) Name and ADF&G vessel number (if applicable) of the catcher vessel or buying station delivering the groundfish.

(iv) Date and time (to the nearest hour, A.l.t.) when receipt of groundfish catch is completed.

(v) Estimated total groundfish delivery weight of the groundfish catch to the nearest lb or to the nearest mt.

(vi) ADF&G fish ticket numbers issued to catcher vessels for the weekly reporting period, including the fish ticket numbers issued by an associated buying station.

(vii) If a mothership:

(A) Latitude and longitude (to the nearest minute) of the mothership position when the groundfish catch is received. Option: Record to nearest second or fraction of minute.

(B) Round catch weight of IR/IU pollock and Pacific cod.

(viii) If a shoreside processor and located in a state other than Alaska, the manager must record the fish ticket number issued through that state and write above the number, the name of the state. If a state fish ticket system is not used, the manager must record the catch receipt number with the state written above the number.

(16) *Delivery information for buying station.* The operator or the manager of

a buying station must record the following information in the "delivery information section" of the Buying Station DCL:

(i) Name and ADF&G vessel number of the catcher vessel delivering the groundfish.

(ii) Date and time (to the nearest hour, A.l.t.) when receipt of groundfish catch is completed.

(iii) Estimated total groundfish delivery weight of the groundfish catch to the nearest lb or to the nearest mt.

(iv) ADF&G fish ticket number issued to the catcher vessel.

(v) Name, ADF&G processor code, and Federal fisheries permit number or Federal processor permit number of the associated mothership or shoreside processor to which groundfish deliveries were made.

(b) *Representative.* The operator of a catcher vessel, mothership, catcher/processor, or buying station delivering to a mothership or manager of a shoreside processor or buying station delivering to a shoreside processor may identify one person to fill out and sign the logbook, to complete the record-keeping and reporting forms, and to identify the contact person for inquiries from NMFS. Designation of a representative under this paragraph does not relieve the owner, operator, or

manager of responsibility for compliance under paragraph (a)(3) of this section.

(c) *Catcher vessel DFL and catcher/processor DCPL.* In addition to requirements described in paragraphs (a) and (b) of this section, the operator of a catcher vessel or catcher/processor must record:

(1) *Pair trawls.* If two catcher vessels are dragging a trawl between them (pair trawl), a separate DFL must be maintained by each vessel. Each vessel operator must log the amount of the catch retained by that vessel and any fish discarded by the vessel.

(2) *Time limit and submittal*—(i) *Catcher vessel DFL.*

(A) The operator of a catcher vessel must record in the DFL:

(1) The time, position, and estimated total catch weight of groundfish for each haul or set within 2 hours after gear retrieval.

(2) Discard or donation information as described at paragraph (a)(10) of this section each day on the day they occur; all other information required in the DFL by noon of the day following gear retrieval.

(3) Notwithstanding other time limits, all information required in the DFL within 2 hours after the vessel's catch is offloaded.

(B) Except as provided at paragraph (c)(3)(iii)(B)(1) of this section, within 2 hours of completion of catch delivery information, the operator of a catcher vessel must submit the blue DFL copies with delivery of the harvest to the operator of a mothership or a buying station delivering to a mothership, or to the manager of a shoreside processor or buying station delivering to a shoreside processor.

(C) The operator must sign the completed DFL logsheets by noon of the day following the week-ending date of the weekly reporting period (see paragraph (a)(3)(iii) of this section).

(ii) *Catcher/processor DCPL.* The operator of a catcher/processor must record in the DCPL:

(A) The time, position, and estimated total catch weight of groundfish for each haul or set within 2 hours after gear retrieval.

(B) Product and discard or donation information as described at paragraphs

(a)(9) and (a)(10) of this section each day on the day they occur; all other information required in the DCPL by noon of the day following completion of production.

(C) Notwithstanding other time limits, record all information required in the DCPL within 2 hours after the vessel's catch is offloaded.

(D) The operator must sign the completed DCPL logsheets by noon of the day following the week-ending date of the weekly reporting period (see paragraph (a)(3)(iii) of this section).

(3) *Logbook formats*—(i) *Groundfish/IFQ format.* In addition to requirements described in paragraphs (a) and (b) of this section, the operator of a catcher vessel at least 60 ft (18.3 m) LOA or a catcher/processor harvesting sablefish or halibut under the IFQ program (see subpart D of this part) in addition to groundfish must record the operator's name and the following information in the groundfish/IFQ DFL or DCPL, respectively:

(A) *Observer information*—(1) *Name of observer.* (Optional, but may be required by the International Pacific Halibut Commission at 50 CFR chapter III (IPHC regulations).)

(2) *Observer cruise number.* (Optional, but may be required by IPHC regulations.)

(B) *Gear type.* (1) Check the appropriate box to indicate gear type used to harvest the fish and enter appropriate gear ID. If gear information is the same as the previous page, check the appropriate box instead of re-entering the information.

(2) If gear type is pot, enter:

(i) The number of pots set.

(ii) The number of pots lost (if applicable). (Optional, but may be required by IPHC regulations.)

(3) If gear type is hook-and-line, check the appropriate box to indicate whether gear is fixed hook (conventional or tub), autoline, or snap. (Optional, but may be required by IPHC regulations.)

(4) If gear type is fixed hook (conventional or tub), autoline, or snap, enter:

(i) The length of skate to the nearest foot (optional, but may be required by IPHC regulations).

(ii) The size of hooks, hook spacing in feet, and number of hooks per skate

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(optional, but may be required by IPHC regulations.)

(iii) The number of skates set.

(iv) The number of skates lost (if applicable) (optional, but may be required by IPHC regulations.)

(C) *IFQ permit numbers.* Enter the IFQ permit numbers of the operator and each IFQ holder aboard.

(D) *CDQ information.* The groundfish CDQ number and the halibut CDQ permit number. Write in the groundfish CDQ delivery number in the box under the vessel name.

(E) *Set and haul information.* (1) The number of set or haul, sequentially by year;

(2) The date set (month-day-year), time set (to the nearest hour), and latitude and longitude (to the nearest minute) of gear deployment (begin position);

(3) Begin and end buoy or bag numbers (optional, but may be required by IPHC regulations);

(4) The date hauled (month-day-year), time hauled (to the nearest hour), and latitude and longitude (to the nearest minute) of gear retrieval (end position);

(5) The begin and end gear depths, recorded to the nearest fathom (optional, but may be required by IPHC regulations);

(6) Species code for target species;

(7) Estimated net weight of IFQ or CDQ halibut catch to the nearest pound (optional, but may be required by IPHC regulations);

(8) If CDQ halibut, enter the estimated net weight of catch to the nearest pound separately from IFQ halibut and indicate "CDQ" above the amount (optional, but may be required by IPHC regulations);

(9) Estimated weight of IFQ sablefish to the nearest pound. Circle appropriate term to indicate whether IFQ sablefish product is Western cut, Eastern cut, or round weight;

(10) Number of sablefish;

(11) If a catcher vessel, enter the estimated total round catch weight of all species, except sablefish or halibut, to the nearest pound; and

(12) If a catcher/processor, enter:

(i) The round catch weight of pollock and Pacific cod to the nearest pound or metric ton.

(ii) Estimated total round catch weight of all species combined, except sablefish, halibut, Pacific cod, or pollock, to the nearest pound.

(iii) When fishing in an IFQ fishery and the fishery for Pacific cod or rockfish is closed to directed fishing in that reporting area as described in § 679.20, the operator must record up to and including the maximum retainable bycatch amount for Pacific cod or rockfish as defined in Table 10 or 11 to this part; quantities over this amount must be recorded in the discard or donation section.

(F) *Groundfish/IFQ logbooks (Effective through December 31, 1999).* The operator of a catcher vessel or catcher/processor must record all information in the groundfish DFL or catcher/processor DCPL received at the beginning of 1999 until receipt of the groundfish/IFQ DFL or catcher/processor DCPL, as follows:

(1) On the final page of the groundfish logbook, complete the date of receipt, page number, and participant identification information (see paragraph (a)(5) of this section). Write "transfer to groundfish/IFQ logbook" across the logsheet.

(2) On the first page of the groundfish/IFQ logbook, enter the next consecutive page number, date of receipt, and participant identification (see paragraph (a)(5) of this section), then write "transferred from groundfish logbook" across the logsheet.

(ii) *Groundfish format.* In addition to requirements described in paragraphs (a) and (b) of this section, the operator of a catcher vessel or a catcher/processor harvesting groundfish must record average number of hooks, if using longline gear, and the following information for each haul or set in the groundfish DFL or DCPL, respectively:

(A) The number of set or haul, sequentially by year;

(B) If the vessel is using hook-and-line gear, the number of skates set. If the vessel is using longline pot or single pot gear, the total number of pots set;

(C) The date (month-day-year), begin time (to the nearest hour) and position coordinates (to the nearest minute) of gear deployment;

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(D) The date (month-day-year), end time (to the nearest hour), and position coordinates (to the nearest minute) of gear retrieval;

(E) The average sea depth and average gear depth, recorded to the nearest meter or fathom;

(F) If a catcher/processor, the total round catch weight of pollock and Pacific cod, to the nearest pound or metric ton.

(G) If a catcher vessel, the estimated total round catch weight of all species, to the nearest pound or metric ton.

(H) If a catcher/processor, the estimated total round catch weight of all species except Pacific cod and pollock, to the nearest pound or metric ton.

(iii) *Discard or donation species information*—(A) *Catcher/processor*. The operator of a catcher/processor must record discard or donation information as described in paragraph (a)(10) of this section.

(B) *Catcher vessel*. In addition to the requirements in paragraph (a)(10) of this section, the operator of a catcher vessel must record in the DFL:

(1) *Unsorted codends*. If a catcher vessel is using trawl gear and deliveries to a mothership or shoreside processor are unsorted codends, the catcher vessel is exempt from recording discards in the DFL and from submittal of the blue DFL copy (discards copy) for that delivery (see paragraph (a)(14)(iv)(C) of this section). The operator must check the box entitled “unsorted codend” and must remove and discard the blue DFL copy.

(2) *Presorted delivery*. Except as provided at § 679.27(d), if a catcher vessel is using trawl gear and deliveries to a mothership or shoreside processor are presorted at sea or if the catcher vessel has “bled” a codend prior to delivery to a mothership, shoreside processor, or buying station, the operator must check the “presorted delivery” box, and enter the estimated amount of discards by species in the DFL.

(iv) *Catcher vessel delivery information*. If a catcher vessel, the operator must record in the DFL:

(A) The landing or delivery date (month-day-year).

(B) The ADF&G fish ticket number(s) provided by the operator of the mothership or buying station deliv-

ering to a mothership, or the manager of a shoreside processor or buying station delivering to a shoreside processor.

(C) Recipient’s name or IFQ registered buyer receiving delivery.

(D) Name of unloading port. If an IFQ landing, see § 679.5(1)(5)(vi) and Table 14 to this part for names of primary ports.

(v) *Catcher/processor product information*. If a catcher/processor, the operator must record product information in the DCPL as set forth in paragraph (a)(9) of this section.

(vi) *Comments*. (Optional.)

(4)–(6) [Reserved]

(d) *Buying station DCL*—(1) *General*. In addition to requirements described in paragraphs (a) and (b) of this section, the operator or manager of a buying station must record discard or donation information in the DCL that:

(i) Are reported on a blue DFL copy by a catcher vessel delivering to a buying station.

(ii) Occur after receipt of harvest from a catcher vessel.

(iii) Occur prior to delivery of harvest to a mothership or shoreside processor.

(2) *Time limits*. The operator or manager of a buying station must record:

(i) Catcher vessel “delivery information” within 2 hours after completion of receipt of each groundfish delivery.

(ii) Discard or donation information as described at paragraph (a)(10) of this section:

(A) Each day on the day discards or donations occur:

(1) After receipt of harvest from a catcher vessel is completed; and

(2) Prior to delivery of harvest to a mothership or shoreside processor.

(B) On the day the blue DFL copy is received from a catcher vessel delivering groundfish to the buying station;

(iii) All other information required in the DCL by noon of the day following the day the receipt of groundfish was completed.

(iv) The operator or manager must sign the completed DCL logsheets by noon of the day following the week-ending date of the weekly reporting period (see § 679.5(a)(3)(iii)).

(e) *Mothership DCPL*—(1) *General*. In addition to requirements described in paragraphs (a) and (b) of this section,

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the operator of a mothership must record discard or donation information in the DCPL that:

(i) Is reported on a blue DFL copy by a catcher vessel or on a yellow DCL copy by a buying station delivering groundfish to a mothership.

(ii) Occurs on site after receipt of groundfish from a catcher vessel or buying station.

(iii) Occurs during processing of groundfish received from a catcher vessel or buying station.

(2) *Time limits.* The operator of a mothership must record:

(i) Except for records of round weight catch for IR/IU species pollock and Pacific cod, "delivery information" in the DCPL within 2 hours after receipt of each groundfish delivery.

(ii) Product information as described at paragraph (a)(9) of this section each day on the day they occur.

(iii) Discard or donation information as described at paragraphs (a)(10) and (e)(1) of this section:

(A) Each day on the day they occur:

(I) On site after receipt of groundfish from a catcher vessel.

(2) During processing of groundfish.

(B) On the day the blue DFL copy is received from a catcher vessel delivering groundfish to the mothership.

(C) On the day the yellow DCL copy is received from a buying station delivering groundfish to a mothership.

(iv) All other information required in the DCPL by noon of the day following the day of production completion.

(v) The operator must sign the completed DCPL logsheets by noon of the day following the week-ending date of the weekly reporting period (see § 679.5(a)(3)(iii)).

(f) *Shoreside processor DCPL—(1) General.* In addition to requirements described in paragraphs (a) and (b) of this section, the manager of a shoreside processor must record in the DCPL:

(i) The management area (BSAI or GOA) for the product where the groundfish was harvested on each section of the Part II logsheet.

(ii) Discard or donation information in the DCPL that:

(A) Is reported on a blue DFL copy by a catcher vessel or on a yellow DCL copy by a buying station delivering groundfish to a mothership.

(B) Occurs on site after receipt of groundfish from a catcher vessel or buying station.

(C) Occurs during processing of groundfish received from a catcher vessel or buying station.

(iii) If the manager of a shoreside processor receives groundfish and records them as landings in Part IB of the DCPL, and transfers these fish to another processor, the manager must also record these fish in Part II of the DCPL prior to transfer.

(2) *Time limits.* The manager of a shoreside processor must record:

(i) All catcher vessel or buying station "delivery information" within 2 hours after completion of receipt of each groundfish delivery.

(ii) Landings and product information as described at paragraphs (a)(8) and (a)(9), respectively, of this section each day on the day they occur.

(iii) Discard or donation information as described at paragraph (a)(10) of this section:

(A) Each day on the day they occur:

(I) On site after receipt of groundfish from a catcher vessel.

(2) During processing of groundfish.

(B) On the day the blue DFL copy is received from a catcher vessel delivering groundfish to a shoreside processor.

(C) On the day the yellow DCL copy is received from a buying station delivering groundfish to a shoreside processor.

(iv) All other information required in the DCPL by noon of the day following the day of production completion.

(v) The manager must sign the completed DCPL logsheets by noon of the day following the week-ending date of the weekly reporting period (see § 679.5(a)(3)(iii) of this part).

(3) *Shoreside processor electronic logbook report—*(Applicable through December 31, 2001.) (i) *Requirement.* The manager of a shoreside processor or stationary floating processor that receives deliveries of groundfish from one or more AFA catcher vessels must record in and submit a shoreside processor electronic logbook report for each catcher vessel delivery and must print and retain reports required under this section for the duration of the fishing year.

(ii) *Applicability.* (A) Processors that use the shoreside processor electronic logbook to record all deliveries and that receive from NMFS an electronic return receipt for each delivery report are exempt from the requirement to maintain shoreside processor DCPLs as described at paragraph (f)(1) and (f)(2) of this section and are exempt from the requirement to submit quarterly DCPL logsheets to NMFS Enforcement as described at paragraph (a)(14)(iii)(A) of this section.

(B) Processors that submit the shoreside processor electronic logbook report and that receive from NMFS an electronic return receipt for each delivery report are exempt from the requirement to maintain and submit WPRs to the Regional Administrator as described at paragraph (i) of this section.

(C) Processors that submit the shoreside processor electronic logbook report, receive from NMFS a return receipt for each delivery report, and that are receiving deliveries of fish under a CDQ program are exempt from the requirement to submit CDQ delivery reports to the Regional Administrator as described at paragraph (n)(1) of this section.

(iii) *Time limit and submittal.* (A) The shoreside processor electronic logbook report must be submitted daily to NMFS as an electronic file. A dated return-receipt will be generated and sent by NMFS to the processor confirming receipt and acceptance of the report. Processors must retain the return receipt as proof of report submission. If a processor does not receive a return receipt from NMFS, the processor must contact NMFS within 24 hours for further instruction on submission of electronic logbook reports.

(B) Information entered daily and described at § 679.5(f)(3)(iv)(B) must be entered each day on the day they occur.

(C) Information for each delivery described at § 679.5(f)(3)(iv)(C) must be submitted to NMFS by noon of the following day for each delivery of groundfish.

(iv) *Information required.* The manager must enter the following information into the shoreside processor electronic logbook:

(A) *Information entered once (at software installation) or whenever it changes:*

(1) Shoreside processor name, ADF&G processor code, Federal processor permit number, and processor e-mail address;

(2) State port code;

(3) Name, telephone and FAX numbers of representative.

(B) *Information entered daily:*

(1) Indicate if no deliveries or no production;

(2) Number of observers on site;

(3) Whether harvested in BSAI or GOA;

(4) Product by species code, product code, and whether primary, ancillary, or reprocessed/rehandled;

(5) Product weight (in lb or mt).

(C) *Information entered for each delivery:*

(1) Date fishing began and delivery date;

(2) Vessel name (optional) and ADF&G number;

(3) Whether delivery is from a buying station;

(4) If received from a buying station:

(i) Type: vessel, vehicle, or other.

(ii) Name of buying station and date received by buying station.

(iii) If a vessel, ADF&G number.

(iv) If a vehicle, license plate number.

(v) If other, description;

(5) Whether a discard DFL was received from catcher vessel; if discard DFL not received, reason given;

(6) ADF&G fish ticket number of delivery;

(7) Management program name and identifying number (whether CDQ, research program, experimental fishery, IFQ, or AFA coop);

(8) Gear type of harvester;

(9) Landed species by species code, product code, and weight (in pounds or mt) for each species of each delivery;

(10) Discard or disposition species by species code, product code, and weight (in pounds or mt) of groundfish or PSC herring;

(11) Discard or disposition species by species code, product code, and count (in numbers of animals) of PSC halibut, salmon, or crab;

(12) If a CDQ delivery, discard or disposition species by species code, product code, weight (in pounds or mt) and count of PSQ halibut;

(13) ADF&G statistical area(s) where fishing occurred; and estimated percentage of total delivered weight corresponding to each area.

(4) *Shoreside processor electronic logbook printed reports.* (i) The manager must output at the processing plant daily reports of the shoreside processor electronic logbook in two formats generated by the required software onto paper consisting of a Shoreside Logbook Daily Production Report and a Delivery Worksheet. The processor must maintain copies of both of these printouts throughout the fishing year and must make them available to observers, NMFS personnel, and authorized officers upon request.

(ii) *Information required—(A) Delivery worksheet.* Name of processor; ADF&G fish ticket number; management program name (whether CDQ, research program, experimental fishery, IFQ, or cooperative) and identifying number; catcher vessel name (optional) and ADF&G vessel number; date fishing began; delivery date; gear type by harvester; landed species by species code and product code and weight (in lb) for each species of each delivery; ADF&G statistical area and percentage of total delivered weight in each area, Federal reporting area; discard or disposition by species code and product code; weight of each discard or disposition species (in lb), number of each discard or disposition species (in lb) (if groundfish or herring); number of each species discard or disposition species if PSC halibut, salmon or crab.

(B) *Shoreside logbook daily production.* Processor name; Federal processor number; ADF&G processor code; date; number of observers on site; indicate if no production and/or no deliveries; last sent date; last modified date; product by species code and product code whether primary, ancillary, or reprocessed/rehandled; and product weight in lb.

(g) *Groundfish Product Transfer Report (PTR)—(1) Requirement.* Except as provided in paragraphs (g)(1) (i) through (v) of this section, the operator of a mothership or catcher/processor or the manager of a shoreside processor must record each transfer of groundfish product or donated prohibited species on a separate PTR.

(i) *Product codes 41 and 99.* The operator or manager does not report those fish products, defined as product code 41 in Table 1 to this part, that are destined for offsite fish meal production or those fish products, defined as product code 99 in Table 1 to this part that are subsequently transferred for discard at sea.

(ii) *Bait sales.* The operator or manager may aggregate individual sales or transfers of groundfish to vessels for bait purposes during a day onto one PTR when recording the amount of such bait product leaving a facility that day.

(iii) *Over-the-counter groundfish sales.* The operator or manager may aggregate individual over-the-counter sales of groundfish for human consumption in quantities less than 10 lb (0.0045 mt) per sale during a day onto one PTR when recording the amount of such over-the-counter product leaving a facility that day.

(iv) *IFQ or CDQ sablefish product.* If the operator of a mothership or catcher/processor or the manager of a shoreside processor possesses a registered buyer permit issued per § 679.4(d)(2), the operator or manager is not required to submit a PTR to document shipment of IFQ or CDQ sablefish product. However, a shipment report as described at paragraph (1)(3) of this section is required for each shipment of IFQ or CDQ sablefish product.

(v) *Wholesale.* The operator or manager may aggregate wholesale sales of groundfish by species during a day onto one PTR when recording the amount of such wholesale product leaving a facility that day. The bills of lading detailing destinations for all of the product must be available for inspection by an authorized officer.

(2) *Time limits and submittal.* The operator of a mothership or catcher/processor or manager of a shoreside processor must:

(i) Record all product transfer information on a PTR within 2 hours of the completion of the transfer.

(ii) Submit by fax a copy of each PTR to the NMFS Alaska Enforcement Division by 1200 hours, A.l.t., on the Tuesday following the end of the applicable weekly reporting period in which the transfer occurred.

(iii) A PTR is not required to accompany a shipment or offload.

(3) *Information required*—(i) *General*. In addition to requirements described in paragraphs (a) and (b) of this section, the operator of a mothership or catcher/processor or the manager of a shoreside processor must record on a PTR:

(A) Page numbers must be numbered consecutively, starting with the first transfer of the fishing year as page 1 and continuing throughout the remainder of the fishing year.

(B) “RECEIPT,” if product (including raw fish) is received; “OFFLOAD,” if product (including raw fish) is offloaded from a mothership or catcher/processor; “SHIPMENT,” if product (including raw fish) is shipped from a shoreside processor.

(C) If a catcher/processor or mothership, the USCG documentation number.

(ii) *Transfer information*. The operator of a catcher/processor or mothership or manager of a shoreside processor must record on each page the following information for each transfer:

(A) *Name*. (1) If another vessel is involved with the transfer, the name and call sign of the vessel receiving or delivering groundfish or groundfish products.

(2) If transfer is from other than a vessel, line-out “vessel name”, write in “processor name”, and record name of processor receiving or delivering groundfish or groundfish products.

(B) *Port of landing*. If a mothership or catcher/processor and the transfer takes place in port, the port of landing and country, if a foreign location.

(C) *Agent*. (1) Except as provided in paragraphs (g)(3)(ii)(C)(2) and (g)(3)(ii)(C)(3) of this section, enter the agent’s name, which, for purposes of this section, is defined as the buyer or the distributor.

(2) If groundfish bait transfer or sales are aggregated onto a PTR for a given day as described at paragraph (g)(1)(ii) of this section, enter “fishing vessels.”

(3) If groundfish over-the-counter sales are aggregated onto a PTR for a given day as described at paragraph (g)(1)(iii) of this section, enter “over-the-counter sales.”

(D) *Intended first destination of product*. (1) If an offload or shipment, the intended destination of the vessel or agent receiving the groundfish or groundfish product.

(2) If an offload or shipment has several destinations, the first intended destination.

(3) If offload or shipment has a single destination but requires loading on multiple vans, trucks, or airline flights, the transfer may be recorded on a single PTR page.

(4) If groundfish bait sales are aggregated onto a PTR for a given day as described at paragraph (g)(1)(ii) of this section, enter “bait.”

(5) If groundfish over-the-counter sales are aggregated onto a PTR for a given day as described at paragraph (g)(1)(iii) of this section, enter “over-the-counter sales.”

(E) *Date and time of product transfer*—

(1) *Start*. Except as provided in paragraphs (g)(3)(ii)(E)(1)(i) and (ii) of this section, the date and time, as described in paragraph (a)(6)(iii) of this section the transfer starts.

(i) *Bait sales*. If groundfish bait sales are aggregated onto a PTR for a given day, the transfer start time is the time of the first bait sale.

(ii) *Over-the-counter sales*. If groundfish over-the-counter sales are aggregated onto a PTR for a given day, the transfer start time is the time of the first over-the-counter sale.

(2) *Finish*. Except as provided in paragraphs (g)(3)(ii)(E)(2)(i) through (v) of this section, the date and time, as described in paragraph (a)(6)(iii) of this section, the transfer is completed.

(i) *Individual van or flight*. If shipment is an individual van load or flight, the date and time when each shipment leaves the plant.

(ii) *Multiple vans or trucks*. If shipment involves multiple vans or trucks, record date and time when the last van or truck of the day leaves the plant.

(iii) *Multiple airline flights*. If shipment involves multiple airline flights, record date and time when the last airline flight shipment of the day leaves the plant.

(iv) *Bait sales*. If PTR is for aggregated groundfish bait sales for a given day, the transfer finish time is the time of the last bait sale.

(v) *Over-the-counter sales.* If PTR is for aggregated groundfish over-the-counter sales for a given day, the transfer finish time is the time of the last over-the-counter sale.

(F) *Position transferred.* If a catcher/processor or mothership and transfer of product is made at sea, the latitude and longitude of the transfer position in degrees and minutes.

(iii) *Products and quantities offloaded, shipped, or received.* The operator of a catcher/processor or mothership or manager of a shoreside processor must record the following information:

(A) If a catcher/processor or mothership, the harvest zone code of the area in which groundfish were harvested as defined in Table 8 to this part.

(B) The species code and product code for each product transferred as defined in Tables 1 and 2 to this part.

(C) The number of cartons or production units transferred.

(D) The average net weight of one carton for each species and product code in kilograms or lbs.

(E) The total net weight (fish product weight, to the nearest 0.001 mt) of the products transferred.

(iv) *Total or partial offload.* If a catcher/processor or mothership, whether the transfer is a total or partial offload. If partial offload, the total fish product weight, to the nearest 0.001 mt, of the products (by harvest zone, species and product codes) remaining on board after this transfer.

(h) *Check-in/check-out report—(1) Applicability—(i) Transit between reporting areas.* If a vessel is transiting through a reporting area and is not fishing or receiving fish, a check-in or check-out report is not required from that area.

(ii) *Multiple vessel operations categories—(A) Check-in report.* If a catcher/processor is functioning simultaneously as a mothership in the same reporting area, the operator must submit a separate check-in report for each vessel operations category.

(B) *Check-out report.* Upon completion of each activity, the operator must submit a check-out report for each vessel operations category.

(2) *Time limits and submittal, Check-in report (BEGIN message)—(i) Catcher/processor—(A) Using hook-and-line or*

pot gear. (1) Before the operator of a catcher/processor using hook-and-line or pot gear sets gear for groundfish in any reporting area except 300, 400, 550, or 690, the operator must submit a check-in report (BEGIN message) by fax to the Regional Administrator.

(2) The operator of a catcher/processor using hook-and-line or pot gear may be checked-in to more than one area simultaneously.

(B) *Using other than hook-and-line or pot gear.* (1) Before the operator of a catcher/processor using other than hook-and-line or pot gear commences fishing for groundfish in any reporting area except 300, 400, 550, or 690, the operator must submit a check-in report (BEGIN message) by fax to the Regional Administrator.

(2) Except as provided in paragraph (h)(2)(i)(C) of this section, the operator of a catcher/processor using other than hook-and-line or pot gear may be checked-in to only one reporting area at a time.

(C) If on the same day a catcher/processor intends to fish in two adjacent reporting areas (an action which would require submittal of check-out reports and check-in reports multiple times a day when crossing back and forth across a reporting area boundary), and the two reporting areas have on that day and time an identical fishing status for every species, the operator must submit to NMFS:

(1) A check-in report to the first area prior to entering the first reporting area, and

(2) A check-in report to the second area prior to entering the second reporting area.

(3) If the catcher/processor remains within 10 nautical miles (18.5 km) of the boundary between the two areas and crosses back and forth between the first and second reporting areas one or more times, a check-out report from either reporting area is not required.

(4) If the catcher/processor proceeds in the second reporting area beyond 10 nautical miles (18.5 km) of the boundary between the two areas, the operator must submit a check-out report from the first reporting area per paragraph (h)(3)(i)(B) of this section.

(ii) *Mothership or shoreside processor.* (A) Before a mothership or shoreside

processor commences receipt of groundfish from any reporting area except 300, 400, 550, or 690, the operator or manager must submit by fax a check-in report (BEGIN message) to the Regional Administrator.

(B) The operator of a mothership must check-in to the reporting area(s) where groundfish were harvested and may be checked into more than one area simultaneously.

(iii) *Fishing for groundfish CDQ species.* The operator of a catcher/processor or mothership, or the manager of a shoreside processor must submit by fax a check-in report to the Regional Administrator prior to groundfish CDQ fishing for each CDQ group.

(3) *Time limits and submittal Check-out report (CEASE message)*—(i) *Catcher/processor*—(A) *Using hook-and-line or pot gear.* (1) If a catcher/processor using hook-and-line or pot gear completes gear retrieval and departs a reporting area, the operator must submit by fax a check-out report to the Regional Administrator within 24 hours after departing that reporting area.

(2) If a catcher/processor using hook-and-line or pot gear is checked-in to multiple reporting areas, the operator must submit a check-out report for each reporting area by fax.

(B) *Using other than hook-and-line or pot gear.* Except as provided in paragraph (h)(2)(i)(B)(3) of this section, if a catcher/processor using other than hook-and-line or pot gear departs a reporting area, the operator must submit by fax a check-out report to the Regional Administrator within 24 hours after departing a reporting area but prior to checking-in another reporting area.

(ii) *Mothership.* (A) If a mothership receives groundfish from a reporting area, the operator must submit by fax a check-out report to the Regional Administrator within 24 hours after receipt of fish from that reporting area is complete.

(B) If a mothership is checked-in to multiple reporting areas, the operator must submit a check-out report for each reporting area by fax.

(iii) *Shoreside processor.* If a shoreside processor, the manager:

(A) Except as noted in paragraph (h)(3)(iii)(B) of this section, must sub-

mit a check-out report by fax to the Regional Administrator within 48 hours after the end of the applicable weekly reporting period that a shoreside processor ceases to process groundfish for the fishing year.

(B) If groundfish will not be received or processed for at least two consecutive weekly reporting periods, the manager may choose one of the following options:

(1) Submit a check-out report by fax to the Regional Administrator, or

(2) Submit a WPR (see paragraph (i) of this section) for each week in which no groundfish are received or processed and write “no groundfish receipt or production this week” on the production section of the WPR.

(iv) *End of fishing year.* If a check-out report has not previously been submitted during a fishing year, the operator or manager must submit a check-out report at the end of that fishing year, December 31.

(v) *Fishing for CDQ species.* The operator of a catcher/processor or mothership or the manager of a shoreside processor must submit a check-out report by fax to the Regional Administrator within 24 hours after groundfish CDQ fishing for each CDQ group has ceased.

(4) *General information.* In addition to requirements described in paragraphs (a) and (b) of this section, the operator of a catcher/processor or mothership or the manager of a shoreside processor must record:

(i) *BEGIN message*—(A) *Mothership.* (1) Date (month-day-year) and time (to the nearest hour, A.l.t.) that receipt of groundfish begins.

(2) Latitude and longitude of position in degrees and minutes where groundfish receipt begins.

(3) Reporting area code where groundfish were harvested by catcher vessel and if using trawl gear, whether groundfish were harvested in the COBLZ or RKCSA area.

(4) Primary and secondary species expected to be received the following week. A change in intended target species within the same reporting area does not require a new BEGIN message.

(5) Whether functioning as a mothership or catcher/processor.

(B) *Catcher/processor*. (1) Date (month-day-year) and time (to the nearest hour, A.l.t.) that gear is deployed.

(2) Latitude and longitude of position in degrees and minutes where gear is deployed.

(3) Reporting area code where gear deployment begins, and if using trawl gear, whether catcher/processor is located in the COBLZ or RKCSA area.

(4) Primary and secondary species expected to be harvested the following week. A change in intended target species within the same reporting area does not require a new BEGIN message.

(5) Whether functioning as a mothership or catcher/processor.

(C) *Shoreside processor*. (1) Date (month-day-year) the facility will begin to receive groundfish.

(2) Whether checking in for the first time at the beginning of the fishing year or to restart receipt and processing of groundfish after filing a check-out report.

(i) *CEASE message*—(A) *Mothership*. Date (month-day-year), time (to the nearest hour, A.l.t.), and latitude and longitude of position in degrees and minutes where the last receipt of groundfish was made.

(B) *Catcher/processor*. Date (month-day-year), time (to the nearest hour, A.l.t.), and latitude and longitude of position in degrees and minutes where the vessel departed the reporting area.

(C) *Shoreside processor*. Date (month-day-year) that receipt of groundfish ceased.

(iii) *Fish or fish product held at plant*. The manager of a shoreside processor must report the weight of all fish or fish products held at the plant in lbs or to the nearest 0.001 mt by species and product codes on each check-in report and on each check-out report.

(i) *Weekly Production Report (WPR)*—(1) *Applicability*.

(i) The operator of a catcher/processor or mothership or the manager of a shoreside processor must submit a WPR for any week the mothership, catcher/processor, or shoreside processor is checked in pursuant to paragraph (h)(2)(i) of this section.

(ii) The operator of a vessel that is authorized to conduct operations as both a catcher/processor and as a mothership must submit separate

WPRs to report production and discard as a catcher/processor and production and discard as a mothership.

(iii) (applicable through December 31, 2001) If a shoreside processor or stationary floating processor or if using software approved by the Regional Administrator as described in § 679.5(f)(3), the shoreside processor or stationary floating processor is exempt from the requirements to submit a WPR.

(2) *Time limits and submittal*. (i) The operator or manager must submit a WPR by fax to the Regional Administrator by 1200 hours, A.l.t., on the Tuesday following the end of the applicable weekly reporting period.

(ii) If still fishing or processing, the operator or manager must submit a WPR at the end of each fishing year (midnight, December 31) regardless of where this date falls within the weekly reporting period. If still fishing or processing, the operator or manager must submit a WPR starting January 1 through the end of the weekly reporting period.

(3) *Information required*. In addition to requirements described in paragraphs (a) and (b) of this section, the operator of a catcher/processor or mothership, or manager of a shoreside processor must record:

(i) The date (month-day-year) the WPR was completed.

(ii) The primary and secondary target codes for the following week.

(iii) If a mothership or catcher/processor, record the processor type.

(j) *Daily Production Report (DPR)*—(1) *Notification*. If the Regional Administrator determines that DPRs are necessary to avoid exceeding a groundfish TAC or prohibited species bycatch allowance, NMFS may require submission of DPRs from motherships, catcher/processors, and shoreside processors for reporting one or more specified species, in addition to a WPR. NMFS will publish notification in the FEDERAL REGISTER specifying the fisheries that require DPRs and the dates that submittal of DPRs are required.

(2) *Applicability*. (i) If a catcher/processor or mothership is checked in to the specified reporting area and is harvesting, receiving, processing, or discarding the specified species or is receiving reports from a catcher vessel of

discard at sea of the specified species, the operator must submit a DPR.

(ii) If a shoreside processor is receiving, processing, or discarding the specified species or is receiving reports from a catcher vessel of discard at sea of the specified species, the manager must submit a DPR.

(iii) The operator of a catcher/processor or mothership or the manager of a shoreside processor must use a separate DPR for each gear type, processor type, and CDQ number.

(3) *Time limit and submittal.* The operator or manager must submit a DPR by fax to the Regional Administrator by 1200 hours, A.L.T., the day following each day of landings, discard, or production.

(4) *Information required.* In addition to requirements described in paragraphs (a) and (b) of this section, the operator of a catcher/processor or mothership, or the manager of a shoreside processor must record the processor type.

(k) *U.S. Vessel Activity Report (VAR)*—(1) *Applicability.* Except as noted in paragraph (k)(1)(iv)(A) of this section:

(i) *Seaward boundary of the EEZ off Alaska or the U.S.-Canadian international boundary between Alaska and British Columbia.* The operator of a catcher vessel, catcher/processor, or of a mothership holding a federal fisheries permit issued under this part and carrying fish or fish product must submit a VAR by fax to NMFS Alaska Enforcement Division, Juneau, AK, before the vessel crosses the seaward boundary of the EEZ off Alaska or crosses the U.S.-Canadian international boundary between Alaska and British Columbia.

(ii) *GOA Seamounts.* The operator of a catcher vessel, catcher/processor, or of a mothership that is departing to or returning from fishing at the GOA Seamounts regardless of whether fish or fish product is onboard must submit a VAR by fax to NMFS' Alaska Enforcement Division, Juneau, AK, before the vessel crosses the seaward boundary of the EEZ off Alaska or crosses the U.S.-Canadian international boundary between Alaska and British Columbia.

(iii) *Russian Zone.* The operator of a catcher vessel, catcher/processor, or of a mothership that is departing to or re-

turning from fishing at the Russian Zone regardless of whether fish or fish product is onboard must submit a VAR by fax to NMFS' Alaska Enforcement Division, Juneau, AK, before the vessel crosses the seaward boundary of the EEZ off Alaska or crosses the U.S.-Canadian international boundary between Alaska and British Columbia.

(iv) *IFQ halibut, IFQ sablefish, and Groundfish*—(A) *Only IFQ halibut and/or IFQ sablefish.* If a vessel is carrying only IFQ halibut and/or IFQ sablefish onboard and the operator has received a Vessel Clearance (VC) per paragraph (1)(5)(iii) of this section or has submitted a Vessel Departure Report (VDR) per paragraph (1)(5)(iii)(B) of this section, the operator is not required to submit a VAR.

(B) *IFQ halibut, IFQ sablefish, and Groundfish.* If a vessel is carrying federal groundfish and IFQ halibut or IFQ sablefish, the operator must submit a VAR in addition to a VDR or a VC.

(2) *Information required*—(i) *General.* In addition to requirements described in paragraphs (a) and (b) of this section, the operator of each catcher vessel, catcher/processor, or mothership must record:

(A) If the vessel is crossing into the seaward boundary of the EEZ off Alaska or crossing the U.S.-Canadian international boundary between Alaska and British Columbia into U.S. waters, the operator must indicate a "return" report. "Return," for purposes of this paragraph, means coming back to Alaska.

(B) If the vessel is crossing out of the seaward boundary of the EEZ off Alaska or crossing the U.S.-Canadian international boundary between Alaska and British Columbia into Canadian waters, the operator must indicate a "depart" report. "Depart," for purposes of this paragraph, means leaving Alaska.

(C) Port of landing. If no fish on board, indicate first destination.

(D) Whether the vessel is returning from fishing or departing to fish in the Russian Zone.

(E) Date (month-day-year) and time (Greenwich mean time) the vessel will cross the seaward boundary of the EEZ off Alaska or the U.S.-Canadian international boundary between Alaska and British Columbia.

(F) Latitude and longitude of position in degrees and minutes at the point of crossing the seaward boundary of the EEZ off Alaska or U.S.-Canadian international boundary between Alaska and British Columbia.

(ii) *Fish or fish products.* The operator of a catcher vessel, catcher/processor, or mothership must record the fish or fish products on board the vessel when crossing the seaward boundary of the EEZ off Alaska or U.S.-Canadian international boundary as follows:

(A) The harvest zone code of the area in which groundfish were harvested as defined in Table 8 to this part.

(B) The species code and product code for each species on board as defined in Tables 1 and 2 to this part.

(C) The fish product weight of products on board in lbs or to the nearest 0.001 mt.

(1) *IFQ recordkeeping and reporting requirements.* In addition to the recordkeeping and reporting requirements in this section and as prescribed in the annual management measures published in the FEDERAL REGISTER pursuant to §300.62 of chapter III of this title, the following IFQ reports are required, when applicable: prior notices of landing, landing report, shipment report, transshipment authorization, vessel clearance report, and departure report.

(1) *Prior notice of IFQ landing—(i) Applicability.* Except as provided in paragraph (1)(1)(iv) of this section, the operator of any vessel making an IFQ landing must notify the NMFS Enforcement, Juneau, no fewer than 6 hours before landing IFQ halibut or IFQ sablefish, unless permission to commence an IFQ landing within 6 hours of notification is granted by a clearing officer.

(ii) *Time limits.* Prior notice of an IFQ landing must be made to the toll-free telephone number specified on the IFQ permit between the hours of 0600 hours, A.l.t., and 2400 hours, A.l.t.

(iii) *Information required.* Prior notice must include the following: Name of the registered buyer(s) who will be responsible for completion and submission of the IFQ Landing Report(s); the location of the landing; vessel identification; estimated weight of the IFQ halibut or IFQ sablefish that will be landed; identification number(s) of the IFQ card(s) that will be used to land

the IFQ halibut or IFQ sablefish; and the date and time that the landing will take place.

(iv) *Exemption.* The operator of a category B, C, or D vessel, as defined at §679.40 (a)(5), making an IFQ landing of IFQ halibut of 500 lb (0.227 mt) or less of weight determined pursuant to §679.42(c)(2) is exempt from the prior notice of landing required by this section when such landings of IFQ halibut are made concurrent with legal landings of lingcod harvested with dinglebar gear or with legal landings of salmon.

(v) *Revision to prior notice.* The operator of any vessel wishing to land IFQ halibut or IFQ sablefish before the date and time reported in the prior notice or later than 2 hours after the date and time reported in the prior notice must submit a new prior notice of IFQ landing as described in paragraphs (1)(1)(i) through (iii) of this section.

(2) *Landing report—(i) Applicability.* A registered buyer must report an IFQ landing within 6 hours after all such fish are landed and prior to shipment or departure of the delivery vessel from the landing site.

(ii) *Electronic landing report.* (A) Electronic landing reports must be submitted to NMFS Enforcement, Juneau, using magnetic strip cards issued by NMFS, Alaska Region, and transaction terminals and printers driven by custom-designed software, as provided and/or specified by NMFS, Alaska Region. It is the responsibility of the registered buyer to locate or procure a transaction terminal and report as required. Waivers from the electronic reporting requirement can only be granted in writing on a case-by-case basis by a local clearing officer.

(B) The IFQ cardholder must initiate a landing report by using his or her own magnetic card and personal identification number (PIN).

(C) Once landing operations have commenced, the IFQ cardholder and the harvesting vessel may not leave the landing site until the IFQ account is properly debited. The offloaded IFQ species may not be moved from the landing site until the IFQ landing report is received by NMFS Enforcement, Juneau, and the IFQ cardholder's account is properly debited. A properly

concluded transaction terminal receipt or manual landing report receipt received by fax from NMFS Enforcement, Juneau, constitutes confirmation that NMFS received the landing report and that the cardholder's account was properly debited. After the registered buyer enters the landing data in the transaction terminal and a receipt is printed, the IFQ cardholder must sign the receipt. Legible copies of the receipt must be retained by both the registered buyer and the IFQ cardholder pursuant to paragraph (1)(7) of this section.

(iii) *Manual landing report.* (A) If a waiver has been granted pursuant to paragraph (1)(2)(ii) of this section, manual landing instructions must be obtained from NMFS Enforcement, Juneau, at (800) 304-4846 or (907) 586-7163. Completed manual landing reports must be submitted by fax to NMFS Enforcement, Juneau, at (907) 586-7313.

(B) The manual landing report must be signed by the registered buyer, the IFQ cardholder, and the NMFS representative to show that the IFQ cardholder's account was properly debited.

(iv) *Time limits and submittals.* (A) An IFQ landing may commence only between 0600 hours, A.l.t., and 1800 hours, A.l.t., unless:

(1) Permission to land at a different time is granted in advance by a clearing officer; or

(2) IFQ halibut of 500 lb (0.227 mt) or less of IFQ weight determined pursuant to § 679.42 (c)(2) is landed concurrently with a legal landing of lingcod harvested with dinglebar gear or a legal landing of salmon by a category B, C, or D vessel, as defined at § 679.40 (a)(5).

(B) An IFQ landing report must be completed and the IFQ account(s) properly debited, as defined in paragraph (1)(2)(ii)(C) of this section, within 6 hours after the completion of the IFQ landing.

(v) *Landing verification and inspection.* Each IFQ landing and all fish retained on board the vessel making an IFQ landing are subject to verification, inspection, and sampling by authorized officers, clearing officers, or observers. Each IFQ halibut landing is subject to sampling for biological information by persons authorized by the IPHC.

(vi) *Information required.* The registered buyer must enter accurate information contained in a complete IFQ landing report as follows: Date, time, and location of the IFQ landing; name and permit number of the IFQ cardholder and registered buyer; the harvesting vessel's ADF&G number; the Alaska State fish ticket number(s) for the landing; the ADF&G statistical area of harvest reported by the IFQ cardholder; if ADF&G statistical area is bisected by a line dividing two IFQ regulatory areas, the IFQ regulatory area of harvest reported by the IFQ cardholder; for each ADF&G statistical area of harvest reported by the IFQ cardholder, the product code landed and initial accurate scale weight made at the time offloading commences for IFQ species sold and retained.

(3) *Shipment report—(i) Requirement.* Each registered buyer, other than those conducting dockside sales must:

(A) Complete a written shipment report for each shipment or transfer of IFQ halibut and IFQ sablefish for which the Registered Buyer submitted a landing report before the fish leave the landing site.

(B) Assure that a shipment report is submitted to, and received by, NMFS Enforcement, Juneau, by fax to (907) 586-7313 or mail to P.O. Box 21767, Juneau, AK 99802-1767, within 7 days of the date shipment commenced.

(C) Assure that a copy of the shipment report or a bill of lading containing the same information accompanies the shipment of IFQ species from the landing site to the first destination beyond the location of the IFQ landing.

(ii) *Information required.* A shipment report must specify the following: Whether the report is a revised report; species and product type being shipped; number of shipping units and unit weight; fish product weight; names of the shipper and receiver; names and addresses of the consignee and consignor; mode of transportation; intended route; and signature of the responsible registered buyer's representative.

(iii) *Revision to shipment report.* Each registered buyer must ensure that, if any information on the original Shipment Report changes prior to the first destination of the shipment, a revised

shipment report is submitted to NMFS Enforcement, Juneau, clearly labeled "Revised Shipment Report" and that the revised shipment report be received by NMFS Enforcement, Juneau, within 7 days of the change.

(iv) *Dockside sale or outside landing—*

(A) *Dockside sale.* (1) A registered buyer conducting dockside sales must issue a receipt in lieu of a shipment report, that includes the date of sale or transfer, the registered buyer permit number, and the fish product weight of the IFQ sablefish or halibut transferred to each individual receiving IFQ halibut or IFQ sablefish.

(2) A person holding a valid IFQ permit, IFQ card, and registered buyer permit may conduct a dockside sale of IFQ halibut or IFQ sablefish to a person who has not been issued a registered buyer permit.

(B) *Outside landing.* A person holding a valid IFQ permit, IFQ card, and registered buyer permit may conduct an IFQ landing outside an IFQ regulatory area or the State of Alaska to a person who does not hold a registered buyer permit.

(C) *Landing report.* The person making such an IFQ landing as described in paragraph (1)(3)(iv)(A) or (B) of this section must submit an IFQ landing report in the manner prescribed in paragraph (1)(2) of this section before any fish are sold, transferred, or removed from the immediate vicinity of the vessel with which they were harvested.

(4) *Transshipment authorization.* No person may transship processed IFQ halibut or IFQ sablefish between vessels without authorization by a clearing officer. Authorization from a clearing officer must be obtained for each instance of transshipment at least 24 hours before the transshipment is intended to commence. Requests for authorization must specify the date and location of the transshipment; names and ADF&G numbers of vessels delivering and receiving the transshipment; product destination; registered buyers' names and permit numbers; IFQ permit numbers; species, regulatory areas, product types and codes, number of units, and unit weight of IFQ harvests being transshipped; time and date of the request; and name and contact

numbers for the person making the request.

(5) *Vessel clearance—* (i) *Applicability.* The vessel operator who makes an IFQ landing at any location other than in an IFQ regulatory area or in the State of Alaska must obtain prelanding written clearance of the vessel from a clearing officer and provide the following information: Date, time, and location of clearance; vessel name and ADF&G and IPHC numbers; homeport; Federal Fisheries Permit number; IFQ permit numbers; registered buyer permit number; IFQ cardholder name; date, time, and location of landing; areas fished and estimated weight of harvests by species; and registered buyer's signature.

(ii) *Responsibility.* (A) A vessel operator must land and report all IFQ species on board at the same time and place as the first landing of any species harvested during an IFQ fishing trip.

(B) A vessel operator having been granted a vessel clearance must submit an IFQ landing report, required under this section, for all IFQ halibut, IFQ sablefish and products thereof that are on board the vessel at the first landing of any fish from the vessel.

(iii) *Location of clearance—*(A) *State of Alaska.* The vessel operator that obtains prelanding written clearance for the vessel at a port in the State of Alaska must obtain that clearance prior to departing the waters of the EEZ adjacent to the jurisdictional waters of the State of Alaska, the territorial sea of the State of Alaska, or the internal waters of the State of Alaska.

(B) *State other than Alaska, Departure Report.* (1) A vessel operator intending to obtain a prelanding written clearance for the vessel at a port in a state other than Alaska must first provide a departure report to NMFS Enforcement, Juneau, prior to departing the waters of the EEZ adjacent to the jurisdictional waters of the State of Alaska, the territorial sea of the State of Alaska, or the internal waters of the State of Alaska.

(2) *Information required.* The departure report must include the weight of the IFQ halibut or IFQ sablefish on board and the intended date and time

the vessel will obtain prelanding written clearance at that port in a state other than Alaska.

(C) *Foreign port other than Canada.* A vessel operator who lands IFQ species in a foreign port must first obtain a vessel clearance from a clearing officer located at a primary port in the State of Alaska as described in paragraph (1)(5)(vi) of this section.

(D) *Canadian ports.* No person shall make an IFQ landing in Canada other than at the ports of Port Hardy, Prince Rupert, or Vancouver, British Columbia.

(iv) *Permits and cards.* A vessel operator obtaining a vessel clearance must have a registered buyer permit and one or more IFQ cardholders on board with IFQ holdings equal to or greater than all IFQ halibut and IFQ sablefish on board.

(v) *Inspection.* A vessel for which a vessel operator is seeking clearance is subject to inspection of all fish, logbooks, permits, and other documents on board the vessel at the discretion of the clearing officer.

(vi) *Primary ports.* Unless specifically authorized on a case-by-case basis, vessel clearances will be issued only by clearing officers at the primary ports listed in Table 14 to this part.

(6) *Record retention.* A copy of all reports and receipts required by this section must be retained by registered buyers and be made available for inspection by an authorized officer or a clearing officer for a period of 3 years.

(7) *IFQ cost recovery program*—(i) *IFQ buyer report.*

(A) *Applicability.* An IFQ registered buyer that also operates as a shoreside processor and receives and purchases IFQ landings of sablefish or halibut must submit annually to NMFS a complete IFQ Buyer Report as described in this paragraph (1) and as provided by NMFS for each reporting period, as described at § 679.5 (1)(7)(i)(E), in which the registered buyer receives IFQ fish.

(B) *Due date.* A complete IFQ Buyer Report must be postmarked or received by the Regional Administrator not later than October 15 following the reporting period in which the IFQ registered buyer receives the IFQ fish.

(C) *Information required.* A complete IFQ Buyer Report must include the following information:

(1) *IFQ registered buyer identification,* including:

- (i) Name,
- (ii) Registered buyer number,
- (iii) Social Security number or tax identification number,
- (iv) NMFS person identification number (if applicable),
- (v) Business address,
- (vi) Telephone number,
- (vii) Facsimile telephone number,
- (viii) Primary registered buyer activity,
- (ix) Other registered buyer activity, and
- (x) Landing port location;

(2) *Pounds purchased and values paid.*

(i) The monthly total weights, represented in IFQ equivalent pounds by IFQ species, that were landed at the landing port location and purchased by the IFQ registered buyer;

(ii) The monthly total gross ex-vessel value, in U.S. dollars, of IFQ pounds, by IFQ species, that were landed at the landing port location and purchased by the IFQ registered buyer;

(3) *Value paid for price adjustments.* (i) The monthly total U.S. dollar amount of any IFQ retro-payments (correlated by IFQ species, landing month(s), and month of payment) made in the current year to IFQ permit holders for landings made during the previous calendar year;

(ii) *Certification,* including the signature of the individual authorized by the IFQ registered buyer to submit the IFQ Buyer Report, and date of signature.

(D) *Submission address.* A complete IFQ Buyer Report must be received at the following address by mail or facsimile transmission: Administrator, Alaska Region, NMFS, Attn: RAM Program, P.O. Box 21668, Juneau, AK 99802–1668, Facsimile: (907) 586–7354.

(E) *Reporting period.* The reporting period of the IFQ Buyer Report shall extend from October 1 through September 30 of the following year, inclusive.

(ii) *IFQ permit holder Fee Submission Form*—(A) *Applicability.* An IFQ permit holder who holds an IFQ permit against which a landing was made must submit to NMFS a complete IFQ

permit holder Fee Submission Form provided by NMFS.

(B) *Due date and submittal.* A complete IFQ permit holder Fee Submission Form must be postmarked or received by the Regional Administrator not later than January 31 following the calendar year in which any IFQ landing was made.

(C) *Contents of an IFQ Fee Submission Form.* For each of the sections described here, a permit holder must provide the specified information.

(1) *Identification of the IFQ permit holder.* An IFQ permit holder with an IFQ landing must accurately record on the identification section of the IFQ Fee Submission Form the following information:

(i) The printed name of the IFQ permit holder;

(ii) The NMFS person identification number;

(iii) The Social Security number or tax ID number of the IFQ permit holder;

(iv) The business mailing address of the IFQ permit holder; and

(v) The telephone and facsimile number (if available) of the IFQ permit holder.

(2) *IFQ landing summary and estimated fee liability.* NMFS will provide to an IFQ permit holder an IFQ Landing Summary and Estimated Fee Liability page as required by § 679.45(a)(2). The IFQ permit holder must either accept the accuracy of the NMFS estimated fee liability associated with his or her IFQ landings for each IFQ permit, or calculate a revised IFQ fee liability in accordance with paragraph (1)(7)(ii)(C)(2)(i) of this section. The IFQ permit holder may calculate a revised fee liability for all or part of his or her IFQ landings.

(i) *Revised fee liability calculation.* To calculate a revised fee liability, an IFQ permit holder must multiply the IFQ percentage in effect by either the IFQ actual ex-vessel value or the IFQ standard ex-vessel of the IFQ landing. If parts of the landing have different values, the permit holder must apply the appropriate values to the different parts of the landings.

(ii) *Documentation.* If NMFS requests in writing that a permit holder submit documentation establishing the factual

basis for a revised IFQ fee liability, the permit holder must submit adequate documentation by the 30th day after the date of such request. Examples of such documentation regarding initial sales transactions of IFQ landings include valid fish tickets, sales receipts, or check stubs that clearly identify the IFQ landing amount, species, date, time, and ex-vessel value or price.

(3) *Fee calculation section—(i) Information required.* An IFQ permit holder with an IFQ landing must record the following information on the Fee Calculation page: The name of the IFQ permit holder; the NMFS person identification number; the fee liability amount due for each IFQ permit he or she may hold; the IFQ permit number corresponding to such fee liability amount(s) due; the total price adjustment payment value for all IFQ halibut and/or sablefish (e.g., IFQ retro-payments) received during the reporting period for the IFQ Fee Submission Form as described in § 679.5(1)(7)(ii)(D); and the fee liability amount due for such price adjustments.

(ii) *Calculation of total annual fee amount.* An IFQ permit holder with an IFQ landing must perform the following calculations and record the results on the Fee Calculation page: add all fee liability amount(s) due for each IFQ permit and record the sum as the sub-total fee liability for all permits; multiply price adjustment payment(s) received for each IFQ species by the fee percentage in effect at the time the payment(s) was received by the IFQ permit holder; add the resulting fee liability amounts due for all price adjustment payments for each IFQ species, then enter the sum as the sub-total fee for price adjustments; add the sub-total fee liability for all permits and the sub-total fee for price adjustments, then enter the resulting sum as the total annual fee amount on the Fee Calculation page and on the Fee Payment page.

(4) *Fee payment and certification section—(i) Information required.* An IFQ permit holder with an IFQ landing must provide his or her NMFS person identification number and must sign and date the Fee Payment section and record the following: his or her printed name; the total annual fee amount as

calculated and recorded on the Fee Calculation page; the total of any pre-payments submitted to NMFS that apply to the total annual fee amount; the remaining balance fee; and the enclosed payment amount.

(ii) *Calculation of balance fee payment.* An IFQ permit holder with an IFQ landing must perform the following calculation on the Fee Payment section of the Fee Submission Form: Subtract from the total annual fee amount the total of all pre-payments made (if any) to NMFS and any credits held by NMFS that are applicable to that year's total IFQ cost recovery fees, and record the result as the balance of the fee amount due.

(D) *Reporting Period.* The reporting period of the IFQ Fee Submission Form shall extend from January 1 to December 31 of the year prior to the January 31 due date described in § 679.5(1)(7)(ii)(B).

(m) *Consolidated weekly ADF&G fish tickets from motherships—(1) Requirement.* (i) In addition to requirements described in paragraphs (a) and (b) of this section, the operator of a mothership must ensure that the combined catch for each catcher vessel is summarized at the end of each weekly reporting period by species on a minimum of one ADF&G groundfish fish ticket when the mothership receives any groundfish from a catcher vessel that is issued a federal fisheries permit under § 679.4. (An ADF&G fish ticket is further described (see § 679.3) at Alaska Administrative Code, 5 AAC Chapter 39.130.)

(ii) Only that information listed here need be completed on the fish ticket for purposes of federal groundfish requirements. Some of the fish ticket fields are defined differently for purposes of federal groundfish requirements.

(2) *Information required from the catcher vessel.* The operator of a mothership must ensure that the following information is written legibly or imprinted from the catcher vessel operator's State of Alaska, Commercial Fisheries Entry Commission (CFEC) permit card on the consolidated weekly ADF&G fish ticket:

(i) *Vessel name.* Name of the catcher vessel delivering the groundfish.

(ii) *Name.* Name of CFEC permit holder aboard the catcher vessel delivering the groundfish. If there is a change in the operator of the same catcher vessel during the same weekly reporting period, complete a fish ticket for each operator.

(iii) *Permit number.* CFEC permit number of CFEC permit holder aboard the catcher vessel delivering the groundfish.

(iv) *ADF&G No.* ADF&G vessel number of the catcher vessel delivering the groundfish.

(v) *ADF&G Statistical area.* The six-digit ADF&G groundfish statistical area denoting the actual area of catch.

(vi) *Permit holder's signature.* The signature of the catcher vessel CFEC permit holder.

(3) *Information required from the mothership.* The operator of a mothership must ensure that the following information is written legibly or imprinted from the mothership's CFEC processor plate card on the consolidated weekly ADF&G fish ticket:

(i) *Processor code.* ADF&G processor code of mothership.

(ii) *Company.* Name of mothership.

(iii) *Port of landing or vessel trans-shipped to.* Enter "FLD", a code which means floating domestic mothership.

(iv) *Fish received by.* The signature of the mothership operator.

(4) *Information required about the catch.* The operator of a mothership must record on the consolidated weekly ADF&G groundfish fish ticket the following information:

(i) *Date landed.* The week-ending date of the weekly reporting period during which the mothership received the groundfish from the catcher vessel.

(ii) *Type of gear used.* Write in one of the following gear types used by the catcher vessel to harvest the groundfish received: Hook and line, pot, non-pelagic trawl, pelagic trawl, jig/troll, other.

(iii) *Code.* Species code for each species from Table 2 to this part, except species codes 120, 144, 168, 169, or 171.

(iv) *Condition code.* The product code from Table 1 to this part which describes the condition of the fish received by the mothership from the catcher vessel. In most cases, this will be product code 01, whole fish.

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(v) *Statistical area.* ADF&G 6-digit statistical area in which groundfish were harvested. If there are more than eight statistical areas for a fish ticket in a weekly reporting period, complete a second fish ticket. These statistical areas are defined in a set of charts obtained at no charge from Alaska Commercial Fisheries Management & Development Division, Department of Fish and Game, 211 Mission Road, Kodiak, AK, 99615-6399.

(vi) *Pounds.* The landed weight of each species to the nearest pound. If working in metric tons, convert to

pounds using 2205 lb = 1 metric ton before recording on fish ticket.

(5) *Time limit and submittal.* (i) The operator of a mothership must complete the consolidated weekly ADF&G groundfish fish ticket for each catcher vessel by 1200 hours, A.l.t., on Tuesday following the end of the applicable weekly reporting period. A fax copy is not acceptable.

(ii) The operator of a mothership must ensure copy distribution or retention of the multiple copies of each consolidated weekly ADF&G groundfish fish ticket (G series) as follows:

If color of fish ticket is:	Distribute to:	Time limit to submit:
(A) White	Retained by Mothership, see paragraph (a)(13)(ii)(D)(6).	Within 30 days after landings are received.
(B) Yellow	Alaska Commercial Fisheries Management & Development Division, Department of Fish and Game, 211 Mission Road, Kodiak, AK, 99615-6399.	
(C) Pink	Catcher vessel delivering groundfish to the mothership.	1200 hours, A.l.t., on Tuesday following the end of the applicable weekly reporting period.
(D) Goldenrod	Extra copy.	

(n) *Groundfish CDQ fisheries—(1) CDQ delivery report—(i) Applicability.* The manager of each shoreside processor and the operator of each vessel of the United States operating solely as a mothership in Alaska State waters and taking deliveries of CDQ or PSQ species from catcher vessels must submit a CDQ delivery report for each delivery of groundfish CDQ or PSQ species.

(ii) *Time limitation and submittal.* The manager or operator as defined at paragraph (n)(1)(i) of this section must submit to the Regional Administrator a CDQ delivery report within 24 hours of completion of each delivery of groundfish CDQ or PSQ species to the processor.

(iii) *Information required.* The manager or operator as defined at paragraph (n)(1)(i) of this section must record the following information on each CDQ delivery report:

(A) *CDQ group information.* CDQ group number as defined at § 679.2 and CDQ group name or acronym.

(B) *Processor information.* (1) Name and federal processor permit number of the processor as defined at paragraph (n)(1)(i) of this section taking delivery of the CDQ catch.

(2) Date delivery report submitted.

(C) *Vessel information.* Enter the name, federal Fisheries Permit number if applicable, and ADF&G number of the vessel delivering CDQ catch. Write “unnamed” if the vessel has no name.

(D) *CDQ catch information.* (1) Enter the delivery date, CDQ delivery number, harvest gear type, and reporting area of CDQ harvest for each CDQ delivery. If caught with trawl gear, check appropriate box(es) to indicate if catch was made in the CVOA or the COBLZ.

(2) Enter groundfish CDQ species that were delivered to the processor as defined at paragraph (n)(1)(i) of this section by product codes and species codes as defined in Tables 1 and 2 to this part, respectively.

(3) *Weight.* Report the weight of each CDQ species in metric tons to at least the nearest 0.001 mt.

(E) *Halibut CDQ/IFQ and Sablefish IFQ information.* Report the weight of all halibut CDQ, halibut IFQ, or sablefish IFQ in the CDQ delivery that also was reported to NMFS on an IFQ landing report by product codes and species codes as defined in Tables 1 and 2 to this part, respectively.

(F) *PSQ information.* Whether PSQ delivered by observed catcher vessels or

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at-sea discards of PSQ by vessels without observers, record the following information:

(1) For each prohibited species other than salmon or crab, enter the species code as defined in Table 2 to this part and the weight to the nearest 0.001 mt.

(2) For salmon or crab, enter the species code as defined in Table 2 to this part and the number of animals.

(2) *CDQ catch report*—(i) *Applicability*. The CDQ representative must submit a CDQ catch report for all catch made by catcher/processors or made by catcher vessels groundfish CDQ fishing as defined at § 679.2 and delivered to a shoreside processor, to a vessel of the United States operating solely as a mothership in Alaska State waters, or to a mothership.

(ii) *Time limitation and submittal*. The CDQ representative must submit to the Regional Administrator a CDQ catch report for each delivery of groundfish CDQ species within 7 days of the date a catcher vessel delivered CDQ catch to a processor as defined in paragraph (n)(2)(i) of this section, or within 7 days of the date catcher/processors retrieved gear used to catch CDQ.

(iii) *Information required, all CDQ catch reports*. The CDQ representative must record the following information on each CDQ catch report:

(A) *Vessel information*—(1) Select appropriate vessel/gear/delivery type. Based on the type selected, complete each of the specified blocks.

(2) Enter the name, Federal fisheries permit number if applicable, and ADF&G number of the vessel delivering CDQ catch. Write “unnamed” if the vessel has no name.

(3) Indicate gear type used to harvest CDQ catch. If using trawl gear, check the appropriate box(es) to indicate any catch from the CVOA or COBLZ.

(B) *Reporting area*. Enter Federal reporting area in which CDQ catch occurred.

(C) *CDQ group information*. (1) CDQ number as defined at § 679.2 and CDQ group name or acronym.

(2) Date report submitted.

(iv) *Information required for catcher vessels retaining all groundfish CDQ and delivering to a shoreside processor or a vessel of the United States operating solely as a mothership in Alaska State waters*

(*Option 1 in the CDP*). The CDQ representative must record the following information on each applicable CDQ catch report:

(A) *Delivery information*. (1) Name and Federal processor permit number of the shoreside processor or the mothership operating solely in Alaska State waters taking delivery of the CDQ catch.

(2) Date catch delivered.

(3) Catcher vessel CDQ delivery number.

(B) *Catch information, groundfish CDQ species*. Report the weight in metric tons to at least the nearest 0.001 mt for each groundfish CDQ species retrieved by a catcher/processor or delivered to a processor as defined in paragraph (n)(1)(i) by product code and species code as defined in Tables 1 and 2 to this part, respectively.

(C) *Catch information, halibut IFQ/CDQ and sablefish IFQ*. The CDQ representative must report the weight of all halibut CDQ, halibut IFQ, and sablefish IFQ in the CDQ delivery that also was reported to NMFS on an IFQ landing report in metric tons to at least the nearest 0.001 mt by product code and species code as defined in Tables 1 and 2 to this part, respectively.

(D) *Mortality information, salmon and crab PSQ*. For salmon or crab, enter the species code, as defined in Table 2 to this part, and the number of animals.

(E) *Mortality information, halibut PSQ*. For halibut PSQ catch, enter the round weight to the nearest 0.001 mt, mortality rate, and overall halibut mortality in metric tons to the nearest 0.001 mt. Use the target fishery designations and halibut bycatch mortality rates in the annual final specifications published in the FEDERAL REGISTER under § 679.20(c).

(v) *Information required for catcher/processors, catcher vessels delivering unsorted codends to motherships, and catcher vessels using nontrawl gear and discarding groundfish CDQ at sea (Option 2 in the CDP)*. The CDQ representative must record the following information on each applicable CDQ catch report.

(A) *Delivery information*. (1) If a catcher vessel delivering unsorted codends to a mothership, the mothership name and federal fisheries permit number, CDQ observer's haul number, and date

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gear retrieved onboard the mothership as determined by the CDQ observer.

(2) If a catcher/processor, the CDQ observer's haul or set number, and date gear retrieved as determined by the CDQ observer.

(3) If a catcher vessel using nontrawl gear, discarding groundfish CDQ at sea, and delivering to a shoreside processor or mothership operating solely in Alaska State waters, the processor name, federal processor permit number, CDQ delivery number, and delivery date.

(B) *Catch information, groundfish CDQ species.* (See § 679.5(n)(2)(iv)(B).)

(C) *Catch information, halibut IFQ/CDQ and sablefish IFQ* (See § 679.5(n)(2)(iv)(C).)

(D) *Mortality information, salmon and crab prohibited species.* (See § 679.5(n)(2)(iv)(D).)

(E) *Mortality information, halibut PSQ.* (See § 679.5(n)(2)(iv)(E).)

(o) *Catcher vessel cooperative pollock catch report.* (Applicable through December 31, 2001.) (1) *Applicability.* The designated representative of each AFA inshore processor catcher vessel cooperative must submit to the Regional Administrator a catcher vessel cooperative pollock catch report detailing each delivery of pollock harvested under the allocation made to that cooperative. The owners of the member catcher vessels in the cooperative are jointly responsible for compliance and must ensure that the designated representative complies with the applicable recordkeeping and reporting requirements of this section.

(2) *Time limits and submittal.* (i) The cooperative pollock catch report must be submitted by one of the following methods:

(A) an electronic data file in a format approved by NMFS; or

(B) by fax.

(ii) The cooperative pollock catch report must be received by the Regional Administrator by 1200 hours, A.L.T. 1 week after the date of completion of delivery.

(3) *Information required.* The cooperative pollock catch report must contain the following information: Cooperative account number; catcher vessel ADF&G number; inshore processor Federal processor permit number; delivery date; amount of pollock (in lb)

delivered plus weight of at-sea pollock discards; ADF&G fish ticket number.

(p) *Commercial Operator's Annual Report (COAR)*—(1) *Requirement.* The owner of a mothership or catcher/processor must annually complete and submit to ADF&G the appropriate Forms A through M and COAR certification page for each year in which the mothership or catcher/processor was issued a Federal Fisheries permit. The owner of a mothership must include all fish received and processed during the year, including fish received from an associated buying station. The ADF&G COAR is further described under Alaska Administrative Code (5 AAC 39.130) (see § 679.3 (b)(2)).

(2) *Time limit and submittal of COAR.* The owner of a mothership or catcher/processor must submit to ADF&G the appropriate Forms A through M and COAR certification page by April 1 of the year following the year for which the report is required to the following address:

Alaska Department of Fish & Game,
Division of Commercial Fisheries,
Attn: COAR, P.O. Box 25526, Juneau,
AK 99802-5526

(3) *Information required, certification page.* The owner of a mothership or catcher/processor must:

(i) Enter the company name and address, including street, city, state, and zip code; also seasonal mailing address, if applicable.

(ii) Enter the vessel name and ADF&G processor code.

(iii) Check YES or NO to indicate whether fishing activity was conducted during the appropriate year.

(iv) If response to paragraph (p)(3)(iii) of this section is YES, complete the applicable forms of the COAR (see table 18 to this part) and complete and sign the certification page.

(v) If response to paragraph (p)(3)(iii) of this section is NO, complete and sign only the certification page.

(vi) Sign and enter printed or typed name, e-mail address, title, telephone number, and FAX number of owner.

(vii) Enter printed or typed name, e-mail address, and telephone number of alternate contact.

(4) *Buying information (exvessel), Forms A (1-3), C (1-2), E, G, I (1-2), and K*—(i) *Requirement.* The owner of a

mothership (if the first purchaser of raw fish) must complete and submit the appropriate COAR buying forms (A (1–3), C (1–2), E, G, I (1–2), and K) for each species purchased from fishermen during the applicable year.

(ii) *Buying information required.* The owner of the mothership must record the following information on the appropriate COAR buying forms:

(A) Species name and code (see table 2 to this part).

(B) Area purchased (see table 16 to this part).

(C) Gear code (see table 15 to this part).

(D) Delivery code (form G only) (see table 1 to this part).

(E) Total weight (to the nearest lb) purchased from fishermen.

(F) Total amount paid to fishermen, including all post-season adjustments and/or bonuses and any credit received by fishermen for gas expenses, ice, delivery premiums, and other miscellaneous expenses.

(G) Price per pound. If additional adjustments may be made after this report has been filed, the owner must check the “\$ not final” box, and submit Form M when these adjustments are paid. Do not include fish purchased from another processor.

(5) *Production forms, Forms B (1–6), D, F, H, J (1–2), and K.* For purposes of this paragraph, the total wholesale value is the amount that the processor receives for the finished product (free on board pricing mothership or catcher/processor). For products finished but not yet sold (still held in inventory), calculate the estimated value using the average price received to date for that product.

(i) *Requirement—(A) Mothership.* The owner of a mothership must record and submit the appropriate COAR production forms (B(1–6), D, F, H, J(1–2), and K) for all production that occurred for each species during the applicable year:

(1) That were purchased from fishermen on the grounds and/or dockside, including both processed and unprocessed seafood.

(2) That were then either processed on the mothership or exported out of the State of Alaska.

(B) *Catcher/processor.* The owner of a catcher/processor must record and submit the appropriate COAR production forms (B(1–6), D, F, H, J (1–2), and K) for each species harvested during the applicable year that were then either processed on the vessel or exported out of the State of Alaska.

(ii) *Information required, non-canned production—(A)* Enter area of processing (see table 16 to this part). List production of Canadian-harvested fish separately.

(B) Processed product. Processed product must be described by entering three codes:

(1) Process prefix code (see table 17 to this part)

(2) Process suffix code (see table 17 to this part)

(3) Product code (see table 1 to this part)

(C) Total net weight. Enter total weight (in pounds) of the finished product.

(D) Total value(\$). Enter the total wholesale value of the finished product.

(E) Enter price per pound of the finished product.

(iii) *Information required, canned production.* Complete an entry for each can size produced:

(A) Enter area of processing (see table 16 to this part).

(B) Process 51 or 52. Enter conventional canned code (51) or smoked, conventional canned code (52).

(C) Total value(\$). Enter the total wholesale value of the finished product.

(D) Enter can size in ounces, to the hundredth of an ounce.

(E) Enter number of cans per case.

(F) Enter number of cases.

(6) *Custom production forms, Form L (1–2)—(i) Requirement.* The owner of a mothership or catcher/processor must record and submit COAR production form L (1–2) for each species in which custom production was done by the mothership or catcher/processor for another processor and for each species in which custom production was done for the mothership or catcher/processor by another processor.

(ii) *Custom-production by mothership or catcher/processor for another processor.* If the mothership or catcher/processor custom-processed fish or shellfish for another processor during the applicable

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year, the owner of the mothership or catcher/processor must list the processor name and ADF&G processor code (if known) to describe that processor, but must not include any of that production in production form L (1-2).

(iii) *Custom-production by another processor for mothership or catcher/processor.* If a processor custom-processed fish or shellfish for the mothership or catcher/processor during the applicable year, the owner of the mothership or catcher/processor must use a separate page to list each processor and must include the following information.

(A) *Custom fresh/frozen miscellaneous production.* The owner of a mothership or catcher/processor must list the following information to describe production intended for wholesale/retail market and that are not frozen for canning later:

(1) Species name and code (see table 2 to this part).

(2) Area of processing (see table 16 to this part).

(3) Processed product. Processed product must be entered using three codes:

(i) Process prefix code (see table 17 to this part).

(ii) Process suffix code (see table 17 to this part).

(iii) Product code (see table 1 to this part).

(4) Total net weight. Enter total weight in pounds of the finished product.

(5) Total wholesale value(\$). Enter the total wholesale value of the finished product.

(B) *Custom canned production.* The owner of a mothership or catcher/processor must list the following information to describe each can size produced in custom canned production:

(1) Species name and code (see table 2 to this part).

(2) Area of processing (see table 16 to this part).

(3) Process 51 or 52. Enter conventional canned code (51) or smoked, conventional canned code (52).

(4) Total wholesale value (\$). Enter the total wholesale value of the finished product.

(5) Can size in ounces, to the hundredth of an ounce.

(6) Number of cans per case.

(7) Number of cases.

(7) *Fish buying retro payments/post-season adjustments, Form M*—(i) *Requirement.* The owner of a mothership must record and submit COAR production Form M to describe additional adjustments and/or bonuses awarded to a fisherman, including credit received by fishermen for gas expenses, ice, delivery premiums, and other miscellaneous expenses.

(ii) *Information required*—(A) Enter species name and code (see table 2 to this part).

(B) Enter area purchased (see table 16 to this part)

(C) Enter gear code (see table 16 to this part).

(D) Enter total pounds purchased from fisherman.

(E) Enter total amount paid to fishermen (base + adjustment).

[61 FR 31230, June 19, 1996, as amended at 61 FR 35578, July 5, 1996; 61 FR 41525, Aug. 9, 1996; 61 FR 49981, Sept. 24, 1996; 62 FR 2045, Jan. 15, 1997; 62 FR 17756, Apr. 11, 1997; 62 FR 19690, Apr. 23, 1997; 62 FR 26247, May 13, 1997; 62 FR 26749, May 15, 1997; 63 FR 30399, June 4, 1998; 63 FR 47356, Sept. 4, 1998; 64 FR 61972, Nov. 15, 1999; 64 FR 69673, Dec. 14, 1999; 65 FR 14923, Mar. 20, 2000; 65 FR 41380, July 5, 2000; 66 FR 13672, Mar. 7, 2001; 66 FR 27910, May 21, 2001; 66 FR 43526, Aug. 20, 2001]

EFFECTIVE DATE NOTES: 1. At 66 FR 7314, Jan. 22, 2001, § 679.5 was amended by adding paragraphs (a)(4)(iv), (f)(3), (f)(4), (i)(1)(iii), and (o), effective Jan. 18, 2001 through Dec. 31, 2001, except paragraph (f)(4) which is effective Jan. 18, 2001 through July 17, 2001. At 66 FR 37179, July 17, 2001, the effective date for paragraph (f)(4) was extended through Dec. 31, 2001.

EFFECTIVE DATE NOTE 2: At 66 FR 27910, May 21, 2001, § 679.5 was amended by revising paragraph (1)(2)(vi). This section contains information collection requirements and will not become effective until approved by the Office of Management and Budget. For the convenience of the user, the revised text follows:

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* * * * *

(1) * * *

(2) * * *

(vi) *Information required.* The registered buyer must enter accurate information contained in a complete IFQ landing report as follows: Date, time, and location of the IFQ landing; name and permit number of the IFQ

card holder and registered buyer; the harvesting vessel's ADF&G number; gear type reported by cardholder; the Alaska State fish ticket number(s) for the landing; the ADF&G statistical area of harvest reported by the IFQ cardholder; if ADF&G statistical area is bisected by a line dividing two IFQ regulatory areas, the IFQ regulatory area of harvest reported by the IFQ cardholder; for each ADF&G statistical area of harvest reported by the IFQ cardholder, the product code landed and initial accurate scale weight made at the time offloading commences for IFQ species sold and retained.

§ 679.6 Experimental fisheries.

(a) *General.* For limited experimental purposes, the Regional Administrator may authorize, after consulting with the Council, fishing for groundfish in a manner that would otherwise be prohibited. No experimental fishing may be conducted unless authorized by an experimental fishing permit issued by the Regional Administrator to the participating vessel owner in accordance with the criteria and procedures specified in this section. Experimental fishing permits will be issued without charge and will expire at the end of a calendar year unless otherwise provided for under paragraph (e) of this section.

(b) *Application.* An applicant for an experimental fishing permit shall submit to the Regional Administrator, at least 60 days before the desired effective date of the experimental fishing permit, a written application including, but not limited to, the following information:

- (1) The date of the application.
- (2) The applicant's name, mailing address, and telephone number.
- (3) A statement of the purpose and goal of the experiment for which an experimental fishing permit is needed, including a general description of the arrangements for disposition of all species harvested under the experimental fishing permit.
- (4) Technical details about the experiment, including:
 - (i) Amounts of each species to be harvested that are necessary to conduct the experiment, and arrangement for disposition of all species taken.
 - (ii) Area and timing of the experiment.
 - (iii) Vessel and gear to be used.

(iv) Experimental design (e.g., sampling procedures, the data and samples to be collected, and analysis of the data and samples).

(v) Provision for public release of all obtained information, and submission of interim and final reports.

(5) The willingness of the applicant to carry observers, if required by the Regional Administrator, and a description of accommodations and work space for the observer(s).

(6) Details for all coordinating parties engaged in the experiment and signatures of all representatives of all principal parties.

(7) Information about each vessel to be covered by the experimental fishing permit, including:

- (i) Vessel name.
- (ii) Name, address, and telephone number of owner and master.
- (iii) USCG documentation, state license, or registration number.
- (iv) Home port.
- (v) Length of vessel.
- (vi) Net tonnage.
- (vii) Gross tonnage.

(8) The signature of the applicant.

(9) The Regional Administrator may request from an applicant additional information necessary to make the determinations required under this section. Any application that does not include all necessary information will be considered incomplete. An incomplete application will not be considered to be complete until the necessary information is provided in writing. An applicant for an experimental fishing permit need not be the owner or operator of the vessel(s) for which the experimental fishing permit is requested.

(c) *Review procedures.* (1) The Regional Administrator, in consultation with the Alaska Fishery Science Center, will review each application and will make a preliminary determination whether the application contains all the information necessary to determine if the proposal constitutes a valid fishing experiment appropriate for further consideration. If the Regional Administrator finds any application does not warrant further consideration, the applicant will be notified in writing of the reasons for the decision.

(2) If the Regional Administrator determines any application is complete